

recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 36 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, April 2, 1945, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 30 (legislative day of March 16), 1945:

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Roger T. Foley, of Nevada, to be United States district judge for the district of Nevada, vice Hon. Frank H. Norcross, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 30 (legislative day of March 16), 1945:

COLLECTORS OF INTERNAL REVENUE

Francis R. Smith to be collector of internal revenue for the first district of Pennsylvania.

John J. Quinlivan to be collector of internal revenue for the tenth district of Ohio.

COLLECTOR OF CUSTOMS

Clara E. Sarvela to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR CORPS

To be temporary dental surgeon, effective February 1, 1945

Kenneth A. Haines.

To be passed assistant sanitary engineers, effective date indicated

Albert H. Stevenson, May 1, 1945.

Frank Tetzlaff, May 1, 1945.

Callis H. Atkins, March 16, 1945.

To be temporary senior assistant surgeons, effective March 1, 1945

John K. McBane	Vernon R. Dennis, Jr.
Edwin D. Merrill	James R. Hurley
Frank A. Buell	Herbert F. Hager
Wardell H. Mills	Andrew P. Sackett

To be temporary senior surgeons, effective March 1, 1945

Theodore J. Bauer

James R. Shaw

Joseph S. Spoto

To be temporary senior sanitary engineer, effective March 1, 1945

Allen D. Brandt

SENATE

MONDAY, APRIL 2, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and merciful Father, we would begin the day with Thee conscious of our helplessness and of Thy supreme and sovereign power. As Thou hast given us life, so, we implore Thee, sustain it and make us ready and willing

for whatever service Thou wouldst have us do.

We thank Thee for the sacrament of April beauty, for the glory of common things and the light of heaven upon our daily path. Help us so to live that we may find eternity in the midst of time and that, walking the lighted way with pure intent to serve Thy kingdom of love, we may hasten the universal reign of the Risen Redeemer upon the earth. We ask it in the name of Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, March 30, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 31, 1945, the President had approved and signed the following acts:

S. 167. An act for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.; and

S. 681. An act to amend the National Housing Act, as amended, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF AGRICULTURE (S. Doc. No. 37)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$1,350,000 for the Department of Agriculture, in the form of an amendment to the Budget (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

A letter from the Director of War Mobilization and Reconversion, transmitting, pursuant to law, his second quarterly report (with an accompanying report); to the Committee on Finance and ordered to be printed as a Senate document with illustrations.

HOLDING OF CERTAIN LANDS IN MONTANA IN TRUST FOR INDIAN USE

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds certain lands in trust for Indian use, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

HOLDING OF CERTAIN LANDS IN NORTH AND SOUTH DAKOTA IN TRUST FOR INDIAN USE

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds certain lands in trust for Indian use, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

PERSONNEL REQUIREMENTS

A letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, an estimate of personnel requirements of the Commission for the

quarter ending June 30, 1945 (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Illinois; to the Committee on Agriculture and Forestry:

"House Resolution 36

"Whereas the United States Fish and Wildlife Service of the Department of the Interior is considering extending the hunting season for ducks, due to the great increase in the duck population; and

"Whereas such an extension of the hunting season would be of small benefit to the Illinois hunters since the rivers and lakes are frozen over before the end of the present season rendering it useless in its last few days; and

"Whereas the ducks arriving in Illinois after having been fired upon in the Dakotas and Canada are both gun-shy and blind-shy when they reach Illinois, and render it almost impossible under existing regulations and conditions, to fully enjoy the sport of duck hunting; and

"Whereas if duck hunters were allowed to use live decoys from blinds, the chance of obtaining the limit would be made at least possible; and

"Whereas there is now pending before Congress H. R. 2081, a bill to permit the use of six live decoys to each blind in the taking of ducks: Therefore be it

"Resolved by the House of Representatives of the Sixty-fourth General Assembly of the State of Illinois, That we do hereby endorse H. R. 2081, and urge its passage, and respectfully request the Representatives in Congress and the two United States Senators from Illinois to give their support to this bill; and be it further

"Resolved, That copies of this preamble and resolution be forwarded by the secretary of state to the President of the United States, the Speaker of the House of Representatives of the Congress of the United States, the President of the Senate of the United States, the United States Fish and Wildlife Service of the Department of the Interior, and to each of the Senators and Representatives in Congress from Illinois."

"Adopted by the house March 21, 1945."

Two joint memorials of the Legislature of the Territory of Alaska; to the Committee on Commerce:

"Senate Joint Memorial 3

"To the Honorable the Congress of the United States, to the Honorable Henry L. Stimson, Secretary of War, and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, respectfully represents that:

"Whereas the community of Tenakee, Tenakee Inlet, Alaska, is the center of a large fishing area and is utilized by a large number of fishermen; and

"Whereas there is no harbor or safe anchorage at or near said Tenakee and on account thereof those operating in the waters adjacent thereto are required, on the approach of severe and sudden storms, to run for shelter to distant ports, all of which entails great risk and loss of life and property as well as heavy expense: Now therefore

"Your memorialist, the Legislature of the Territory of Alaska in seventeenth session assembled, respectfully urges that the United States Government improve the harbor and build a breakwater at Tenakee, Alaska, as

soon after World War No. 1 as it can reasonably be done.

"And your memorialist will ever pray.

"Passed by the senate February 17, 1945.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

"House Joint Memorial 6

"To the President of the United States, to the Senate and House of Representatives of the United States, to the Secretary of the Interior, and to the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska in seventeenth regular session assembled, respectfully represent that:

"Whereas the Honorable Franklin D. Roosevelt has recently expressed a deep interest in the need for the development and protection of Alaska's great natural resources; and

"Whereas the salmon-fishing industry in Alaska reached its peak of production; and

"Whereas the United States Fish and Wildlife Service has failed for the lack of funds to construct facilities to increase the salmon spawning acreage within the salmon spawning areas of Alaska; and

"Whereas an increase of population within the Territory of Alaska would be encouraged by additional salmon spawning areas or additional acreage: Now therefore

"Your memorialist, the Legislature of the Territory of Alaska, respectfully prays that the Congress of the United States appropriate the sum of \$5,000,000 to the Fish and Wildlife Service of the United States Department of the Interior to be used over a period of 4 years for the purpose of re-converting, improving, and increasing, during the post-war period, the salmon spawning areas within the Territory.

"And your memorialist will ever pray.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A memorial of the House of Representatives of the Territory of Alaska; to the Committee on Public Lands and Surveys:

"House Memorial 5

"To the Congress of the United States and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the House of Representatives of the Legislature of the Territory of Alaska, in seventeenth regular session assembled, respectfully represents:

"That there are vast areas of rich land in the Territory of Alaska, unoccupied, unappropriated, and unused, some of which is suited to agricultural purposes, some contains mineral, much of it contains timber, and, from all indications, petroleum and other valuable products.

"That the paramount need of the Territory in times of peace is the further settlement, and the development of all its known and potential resources.

"That the present war has taken into the armed forces of the United States great numbers of young men constituting the overwhelming majority of all those who are physically fit for military service, and that these men, residents of the Territory, are the ones upon whom the Nation must rely for the future settlement and development of the Territory: Now therefore

"Your memorialist respectfully prays that Congress enact the necessary legislation for the purpose of granting to every resident of Alaska now in the armed forces of the United States and, every branch thereof, upon his or her honorable discharge, not to exceed 160 acres of unappropriated land or public domain in the Territory of Alaska, to be selected by the applicant, and that a United States patent be issued therefor upon the

filing of an application and the approval of a survey of the land selected.

"And your memorialist will ever pray.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A resolution adopted by the Council of the City of Los Angeles, Calif., favoring the enactment of House bill 2346, the so-called merchant seamen's bill of rights; to the Committee on Commerce.

A resolution adopted by the Council of the City of Los Angeles, Calif., favoring the enactment of legislation to permit Sister Kenny to remain in the United States in order that she may continue her experiments toward the elimination of poliomyelitis in this country; to the Committee on Education and Labor.

A resolution adopted by the City Council of Philadelphia, Pa., favoring the designation of Philadelphia, Pa., as headquarters for any organization established for the maintenance of world peace; to the Committee on Foreign Relations.

By Mr. GREEN:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Naval Affairs:

"Senate Resolution 126

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to exert every effort to have the Walsh-Kaiser shipbuilding plant in Providence, R. I., made a permanent repair base for the United States Navy and the American merchant marine and at the same time to give every consideration to the feasibility of building a drydock in Providence.

"Whereas the services of the numbers of skilled craftsmen in the shipbuilding plant of the Walsh-Kaiser Co. in Providence, R. I., should be retained for the good of national production and stability: therefore be it

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they hereby are respectfully requested and urged to exert every effort to have the Walsh-Kaiser shipbuilding plant in Providence, R. I., made a permanent repair base for the United States Navy and the American merchant marine and at the same time to give every consideration to the feasibility of building a drydock in said city of Providence along the waters of the Providence Harbor and/or Narragansett Bay; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the Secretary of State to the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. TYDINGS:

A resolution adopted by the Board of County Commissioners of Montgomery County, Md., favoring the enactment of legislation to eliminate the requirement of oath in connection with applications for benefits under laws and regulations administered by the Administrator of Veterans' Affairs; to the Committee on Finance.

A petition of sundry citizens of Union Bridge, Md., praying for the enactment of House bill 2082, Seventy-eighth Congress, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war; to the Committee on the Judiciary.

Petitions of sundry citizens of the State of Maryland, praying for the enactment of legislation providing 1 year of training for 18-year-old boys before being sent into battle; to the Committee on Military Affairs.

A resolution adopted by the Women's Society of Christian Service, Baltimore, Md., favoring the enactment of legislation providing for full rights of citizenship for American Indians; to the Committee on Indian Affairs.

By Mr. RADCLIFFE:

A resolution adopted by the Board of County Commissioners of Montgomery County, Md., favoring the enactment of legislation to eliminate the requirement of oath in connection with applications for benefits under laws and regulations administered by the Administrator of Veterans' Affairs; to the Committee on Finance.

SAN FRANCISCO CONFERENCE ON INTERNATIONAL ORGANIZATION

Mr. WILLIS. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD resolutions adopted by the Allen County, Ind., Republican Club containing some very pertinent and thought-provoking ideas about the forthcoming international security conference to be held in San Francisco during the month of April.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the International Security Conference is to be held in San Francisco during the month of April 1945: Therefore, be it

Resolved, That the Allen County Republican Club sponsor a movement in this and other communities urging that all sessions of this conference be open to the American public through representatives of the press and radio; and be it further

Resolved, That in the event an international governing body be set up at the International Security Conference that a day-to-day record of the complete proceedings of this body, similar to the CONGRESSIONAL RECORD, be published and be made available to the American people, press, and radio as a safeguard to the sovereignty of the United States of America.

Whereas a secret agreement, understanding, or treaty by any representative of the Government of the United States of America with any foreign representative or government, has never held a place in our free form of government, and is likely to interfere with the freedom of the people; and

Whereas free access of American citizens to all information on international agreements for open discussion and debate is a fundamental principle of a free republic; and

Whereas the present national administration is now committed to a policy of international cooperation requiring agreements, understandings, and treaties with foreign nations; and

Whereas the decision on all final treaties with these foreign nations rests with the Senate of the United States, whose every action is made daily available to the people, the press, and the radio through the published CONGRESSIONAL RECORD; and

Whereas the Constitution of the United States article 2, section 2, reads "The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur"; and

Whereas the executive branch of our Government has violated the principle of this section of the Constitution by making secret agreements and understandings with the representatives of other governments without the advice and consent of the Senate: Therefore, be it

Resolved, First, that the Allen County Republican Club of Fort Wayne, Ind., sponsor a movement in this and other communities looking toward an amendment to the Constitution of the United States giving all agreements and understanding between this Nation and any other nation the status of international treaties;

Secondly, that a completely detailed report of every agreement, understanding, or treaty by the President or other person in authority be immediately made to the Senate for its advice and consent, and that ratification require a two-thirds concurring vote by the Senate;

Finally, that such a constitutional amendment would prevent the insidious practice of making agreements whose provisions are kept secret from the American people, and would guarantee:

1. The balance of power of the three branches of government as set forth in our Constitution will be maintained;

2. The people will be promptly informed of all actions on foreign policy taken by their Government, through the CONGRESSIONAL RECORD and the press and radio; and finally

3. Assure the people that the sovereignty of the United States of America will be preserved at all times in its relationship to other nations.

UNIFORM MARRIAGE AND DIVORCE LEGISLATION

Mr. CAPPER. Mr. President, a few days ago I introduced Senate bill 726 and Senate Joint Resolution 47, dealing with uniform marriage and divorce legislation. These measures were referred to the Senate Committee on the Judiciary.

I have received a splendid letter from Willard L. Kauth, director of the Boys' Athletic League, a Nation-wide organization. I send this letter to the desk with the request that it be referred to the Judiciary Committee, and I ask unanimous consent that it be printed in the

CONGRESSIONAL RECORD. I think Mr. Kauth sets forth strong reasons why sound family life in America will do much to keep the home fires burning.

There being no objection, the letter was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

BOYS' ATHLETIC LEAGUE, INC.,
New York, N. Y., March 22, 1945.

Senator ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: The bill introduced by you to provide for uniform regulation of marriage and divorce is certain to win the approval of all those who have the public interest at heart. It strikes at the heart of the evil—the disrupted home, which is so largely responsible for juvenile delinquency and a life of criminal pursuit.

We have here at the Boys' Athletic League come face to face with the problem of broken homes. Our work for the past 20 years coming into contact with untold thousands of underprivileged boys and girls have definitely convinced us that most wayward youths lack proper parental guidance and the advantages of a normal life.

More than 150 social-welfare agencies in Greater New York participate in our activities and include community centers, social settlements, church houses, Y. M. C. A.'s, Y. M. H. A.'s and similar groups. Our aim has been to get youths off the streets, to inculcate character, to promote civic responsibility, to create higher ideals and at the same time take them out of lowly environment and send many of them to summer vacation camps.

PENSIONS COMMITTEE

APRIL 2, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of

Although we feel that though we have accomplished a tremendous amount of good we believe that uniform regulations to govern marriages and divorces are a progressive step in the prevention of much crime and a duty that society owes to the youths of America, "in keeping the home fires burning."

Most sincerely yours,

WILLARD L. KAUTH,
Director.

REPORT OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 27. A bill to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war; without amendment (Rept. No. 158).

S. Res. 35. Resolution to investigate certain activities of the Securities and Exchange Commission and the Post Office Department (Rept. No. 159).

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The VICE PRESIDENT laid before the Senate reports for the month of March 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Louis J. Meyerle.....	612 Bennington Dr., Silver Spring, Md.....	Veterans' Administration.....	\$5,000

JAMES M. TUNNELL, Chairman.

COMMITTEE ON NAVAL AFFAIRS

MARCH 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of

March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, U. S. Navy (retired).	4105 Oliver St., Chevy Chase, Md.....	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	\$6,000
Chief Yeoman Herbert S. Atkinson (AA), U. S. Naval Reserve.	2405 Pennington Rd., Trenton, N. J.....	Bureau of Naval Personnel, Navy Department, Washington, D. C.	1,512

DAVID I. WALSH, Chairman.

SENATE NAVY LIAISON OFFICE

MARCH 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of

March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Frederick A. McLaughlin, U. S. Naval Reserve.	5305 41st St. NW., Washington, D. C.....	Bureau of Naval Personnel, Navy Department, Washington, D. C.	\$2,400
Lt. Joseph G. Feeney, U. S. Naval Reserve.	2745 29th St. NW., Washington, D. C.....	do.....	2,400
Yeoman (2d cl.) Eleanor W. St. Clair, U. S. Naval Reserve.	2134 R St. NW., Washington, D. C.....	do.....	1,152
Yeoman (2d cl.) Loretto F. Jochman, U. S. Naval Reserve.	do.....	do.....	1,152

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH, Chairman.

WAR CONTRACTS SUBCOMMITTEE, SENATE MILITARY AFFAIRS COMMITTEE

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
April 2, 1945.

The VICE PRESIDENT,
United States Senate,
Washington, D. C.

DEAR MR. VICE PRESIDENT: Pursuant to Senate Resolution 319, I am transmitting

herewith a list of employees of the War Contracts Subcommittee of the Senate Committee on Military Affairs who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the Department paying the salary of such employee,

and the annual rate of compensation for each such employee.

Respectfully yours,

JOSEPH C. O'MAHONEY,
Chairman, War Contracts Subcommittee.

APRIL 2, 1945.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Kurt Borchardt.....	6007 34th Pl. NW., Washington, D. C.	Smaller War Plants Corporation, Washington, D. C.	\$5,600
Ann Cheatham.....	4000 South Capitol St. SE., Washington, D. C.	do	2,000
Bertram M. Gross.....	613 South Quincy St., Arlington, Va.	Navy Department, Washington, D. C.	8,000
Doris Phippen.....	40 Plattsburg Court NW., Washington, D. C.	do	2,300

FIRST PROGRESS REPORT OF JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS (S. DOC. NO. 36)

The VICE PRESIDENT laid before the Senate a letter from the chairman and vice chairman of the Joint Committee on the Organization of Congress, transmitting, pursuant to House Concurrent Resolution 18, the first progress report of that committee on a study of the organization and operation of Congress, which was ordered to be printed.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the first progress report of the Joint Committee on the Organization of Congress, which has just been laid before the Senate by the Vice President, be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

LETTER OF TRANSMITTAL
UNITED STATES SENATE AND
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 1, 1945.

HON. HARRY S. TRUMAN,
Vice President of the United States.
HON. SAM RAYBURN,
Speaker of the House of Representatives.
DEAR MR. VICE PRESIDENT AND MR. SPEAKER: By direction of the joint committee appointed pursuant to House Concurrent Resolution 13 of the Seventy-ninth Congress, to make a full and complete study of the organization and operation of the Congress, we hand you herewith the first intermediate report of that committee.

Sincerely yours,
ROBERT M. LA FOLLETTE, Jr.,
Chairman.
A. S. MIKE MONRONEY,
Vice Chairman.

ORGANIZATION OF CONGRESS—FIRST INTERMEDIATE REPORT

(Pursuant to H. Con. Res. 18)

INTRODUCTION

This committee was first established by the Seventy-eighth Congress, pursuant to Senate Concurrent Resolution 23, which passed the Senate on August 23 and the House on December 15, 1944. Under this resolution, a joint committee was appointed, composed of six Members of each House, who elected Senator Francis Maloney chairman and Representative A. S. MIKE MONRONEY vice chairman at a meeting of the committee on December 20, 1944. A few days later the Seventy-eighth Congress expired and with it this committee. Meanwhile, during the Christmas recess, the committee and the Congress suffered a severe loss in the sudden tragic death of Senator Maloney, who had

been coauthor of the resolution creating this committee and an outstanding Senate leader in the effort to strengthen and improve the machinery and methods of Congress.

Following the organization of the Seventy-ninth Congress, House Concurrent Resolution 18, as amended by the Senate, was passed on February 19. The Senate amendments eliminated an earlier provision permitting the committee to utilize the services of voluntary and departmental personnel and prohibited committee recommendations "with respect to the rules, parliamentary procedure, practices, and/or precedents of either House." The resolution specifically provides, however, that the committee may study and recommend the consolidations and reorganization of committees. Vice President TRUMAN appointed Senator RICHARD B. RUSSELL to fill the vacancy caused by the death of Senator Maloney.

The joint committee met on March 3 on call of Vice Chairman MONRONEY, organized, and selected Senator ROBERT M. LA FOLLETTE, Jr., as its chairman and Representative A. S. MIKE MONRONEY as vice chairman. On the same day the committee selected George B. Galloway as staff director.

BACKGROUND OF STUDY

This committee was established in response to a growing realization among Members of Congress of the imperative necessity to provide ways and means which will enable the Congress more effectively to meet and discharge the responsibility and powers vested in the National Legislature by the Constitution.

Congressional interest in self-improvement had manifested itself by the introduction in recent years in both Houses of numerous bills and resolutions by Members of all political parties, proposing various changes in legislative organization and operation. Twenty-three such measures were introduced during the Seventy-seventh Congress, 43 during the Seventy-eighth Congress, and 36 during the first 2 months of the Seventy-ninth Congress, or a total of 102 during the last 4 years. Thirty of these originated in the Senate and 72 in the House.

Moreover, during the Seventy-eighth Congress alone, the subject of congressional reform was discussed on the floor of the House and Senate on no less than 40 separate occasions. The records reveal that an increasing number of Members of both Houses and political parties have expressed concern about the efficiency of Congress since 1941. Together they represent more than one-tenth of the total membership. These Members evidently recognize that the problem of making Congress a more effective legislative machine is becoming increasingly acute, that it is not a party problem, and that it demands solution regardless of the party situation in Congress.

Meanwhile, widespread public interest in a more effectively functioning Congress had also been manifested by a large number of

magazine articles, newspaper editorials and columns, radio debates, forum discussions, and reports by civic and professional groups. In recent years public concern for the maintenance of the power of Congress in our governmental structure has been growing due to the tremendous increase in the number and complexity of the national and international issues with which the Congress must deal. Recently a variety of proposals have been advanced by responsible groups and individuals designed to improve and strengthen the instrumentalities of Congress both in its internal organization and in its relationship to other branches of the Government and the public.

The widespread interest in and out of Congress in the subject has been prompted in part by the fate of parliamentary institutions in various countries abroad. The triumph of totalitarianism had its beginnings in the decline and final break-down of their national legislatures which were either suppressed by the dictators or converted into mere pawns of power politics.

Moreover, the decline of Congress in relation to the executive branch of our Federal Government has caused increased legislative concern. Under the Constitution, Congress is the policy-making branch of Government. There are manifest growing tendencies in recent times toward the shift of policy-making power to the Executive, partly because of the comparative lack of effective instrumentalities and the less adequate facilities of the legislative branch. To redress the balance and recover its rightful position in our governmental structure, Congress, many Members feel, must modernize its machinery, coordinate its various parts, and establish the research facilities that can provide it with the knowledge that is power.

COMMITTEE ACTIVITIES TO DATE

Guided by these considerations and mindful of the importance of the study which it has been authorized to make, your committee has begun its hearings. Our first step has been to make a survey of congressional opinion in order to obtain the suggestions and recommendations of Senators and Representatives for the strengthening of Congress.

To this end three things have been done. First, a letter was sent (see appendix) on March 5 to every Member of both Houses soliciting their advice and suggestions. The response has been most gratifying. Nearly all those who have replied have welcomed the study and stressed its importance, and many have offered helpful suggestions.

Second, a series of hearings is in progress at which interested Senators and Representatives have appeared and given the committee the benefit of their advice and counsel. These hearings commenced on March 13 and will continue two or three times a week until all interested Members have been heard. The testimony to date has covered a wide range of topics and revealed the broad scope of

congressional interest in the general subject of the committee's study. (See appendix for a summary of the hearings.)

The committee wishes to express its deep appreciation for the valuable assistance it has thus far received from Members of the House and Senate and urges all who have not appeared or responded to do so at their earliest convenience.

Third, the committee's staff director has collected and analyzed all bills and resolutions proposing changes in legislative organization and operation that have been introduced in the Seventy-seventh to Seventy-ninth Congresses, inclusive, to date; digested the replies received from Members to our letter of inquiry of March 5; and prepared a list of Members interested in the organization of Congress, a study outline on Congress, a questionnaire for distribution among Members of Congress, and press releases summarizing all our hearings to date.

The Joint Committee on the Organization of Congress plans to proceed with its study as rapidly as possible. After it has heard all the Members who desire to appear, we shall invite others not Members of Congress to testify or submit statements in writing. A tentative list of the groups to be heard follows:

1. Officers and employees of Congress.
2. Executive officials.
3. Members of Senate and House Press Galleries.
4. Civic and other groups.
5. Interested professional organizations.
6. Private citizens.

CONTEMPLATED SCOPE OF STUDY

The committee is authorized and directed by House Concurrent Resolution 18 to—make a full and complete study of the organization and operation of the Congress, and to “recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of and the relationships between the various standing, special, and select committees of the Congress.”

The committee considers that these terms of reference are broad enough to permit it to study, among others, the following main subdivisions of the whole subject:

1. The staffing of Congress.
2. Committee structure and operation.
3. Relations between House and Senate.
4. Liaison between Congress and the Executive.
5. Legislative oversight of administration.
6. Relations with the electorate.
7. Relations with special-interest groups.
8. Congestion of legislative business.
9. The administrative organization of Congress.
10. Compensation of congressional personnel.

We plan to make a thorough study of each of these interdependent problems during the coming months.

CONCLUSION

This report is submitted at this time in accordance with the requirement of House Concurrent Resolution 18 that the committee's first report be made not later than April 1, 1945. The committee has had only 4 weeks of actual working time at its disposal; it has only made a beginning in its study of this great subject. Therefore, it would be

premature for the committee to make any recommendations at this time.

In launching its study, the members of the committee are keenly aware of the vital importance of the assignment they have received and they wish to assure the membership of both the House and Senate that they will discharge their responsibilities to the best of their abilities, for we believe that upon a stronger and more effective Congress may well depend the preservation of democracy in the United States.

APPENDIX I

[H. Con. Res. 18, 79th Cong., 1st sess.]

CONCURRENT RESOLUTION

Resolved by the House of Representatives (the Senate concurring). That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

Sec. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of, and the relationships between, the various standing, special and select committees of the Congress: *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further*, That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

Sec. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

(c) The expenses of the committee, which shall not exceed \$15,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than April 1, 1945. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules of the Senate and the appropriate committees of the House.

Passed the House of Representatives January 18, 1945.

Attest: SOUTH TRIMBLE, Clerk.
Passed the Senate, amended, February 12, 1945.

Attest: LESLIE L. BIFFLE, Secretary.
House agrees to Senate amendments February 19, 1945.

Attest: SOUTH TRIMBLE, Clerk.

APPENDIX II

CONGRESS OF THE UNITED STATES—JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

(Created pursuant to H. Con. Res. 18)

As you know, the Congress has passed House Concurrent Resolution 18 providing for a study of ways of strengthening our legislative machinery. The committee is getting under way and feels that our first logical step is to seek information from the membership of the Congress. The help and suggestions of Members will be most valuable in this study.

We are not out on a fault-finding expedition, but rather to discover constructive ways to improve our work and to strengthen the institution of Congress. The interest and enthusiastic support of the country demonstrate that public interest is behind Congress in this effort.

There has been some misunderstanding of this study. We are not attempting a revision of our parliamentary procedures as they concern the passage of bills on the floors of the Congress. Rather, it is to improve our facilities to deal with the problems involved in the bills; facilitating the study of proposed legislation; expediting and strengthening committee work; following up by standing committees a study of the laws and their administration after passage; securing access to independent factual information and statistics pertaining to legislative questions.

Your ideas on these and any other subjects related to this entire field of study will be most valuable. If you will favor us with your views, outlining changes and improvements you believe will help Congress better to meet its constitutional duties under the ever-increasing load of work, we will deeply appreciate it. We would like to have your testimony or statement on any ideas you have. If you will advise us of your willingness to appear or to submit a statement, it will be of great help to the committee.

The committee asks that you respond within 10 days, if possible, because our first report must be submitted by April 1.

Sincerely yours,

Chairman.

Vice Chairman.

APPENDIX III

SYNOPSIS OF SUGGESTIONS RECEIVED FROM MEMBERS OF CONGRESS

On March 5, 1945, the chairman and vice chairman addressed a letter to each Member of Congress, soliciting their suggestions of

improvements in the organization and operation of Congress. There follows a digest of the replies received to date:

Suggestions by Senators

1. **BAILEY:** Each Senator should have a first-class research secretary, a suitable set of bookcases for reports and hearings, a department clerk, and a library of standard works and Supreme Court decisions. Two days a week should be reserved for committee meetings and 3 days for Senate meetings. Printing of irrelevant matter in the CONGRESSIONAL RECORD should be banned.

2. **BRIGGS:** Require debate to be germane to question before the Chamber. Devise a better method of informing Senators when a vote is to be taken.

3. **BUCK:** Establish an Office of the Coordinator of Congressional Activities with a Coordinator and Assistant Coordinator selected by the majority and minority leaders, respectively; and place the Legislative Reference Service, the legislative counsel, a joint document room, and the House and Senate committee clerks under the Coordinator. Hold joint hearings on common problems. Condition Federal grants-in-aid to States on statements of need from Governors.

4. **FULBRIGHT:** Advocated consolidation of committees and a well-organized group attached to the Senate to study and report on long-run problems, and a report-and-question period.

5. **GURNEY:** Reduce the number of committee assignments.

6. **JOHNSON (Colorado):** Suggested better staffing of standing committees, preferably joint staffs.

7. **MCCARRAN:** Provide standing committees with adequate funds and abolish special and select committees.

8. **MILLIKIN:** Make a complete study of bill history to determine nature and volume of committee work. Study existing committee jurisdictions and procedure to determine logic of existing system and problem of expert assistance. Study problem of joint committees and joint hearings. Consider better coordination of sessions of Congress and committee hearings.

9. **REED:** Reduce the number of standing committees and equip the remainder with expert staffs.

10. **SHIPSTEAD:** Congress should have its own legal and economic research force under civil service. Committee clerks should be put on civil-service status and be paid enough to get competent persons. Reduce the number of committees and do away with all special committees. Adopt a contributory old-age-retirement plan for Members.

11. **SMITH:** Reduce the number of committees; consolidate the Senate Commerce and Interstate Commerce Committees; create a Joint Committee on the District of Columbia.

12. **SALTONSTALL:** Advocates the publication of a single bulletin, comparable to the Massachusetts Bulletin of Committee Work, showing the committees of Congress, their members, all bills filed and referred to the various committees, their subject matter, dates of hearing, committee recommendations, and final disposition.

13. **TAYLOR:** Delegate settlement of claims and District of Columbia Government; improve acoustics of Senate Chamber, and interpret Senate proceedings to public via a public-relations man at a gallery microphone.

14. **TUNNELL:** Harder work on part of members of committees.

Suggestions by Representatives

1. **BARTLETT,** Delegate from Alaska, and **PINERO,** Resident Commissioner from Puerto Rico: Give Delegates and Commissioners the right to vote in committees; permit a second Delegate and Commissioner from each Territory and Puerto Rico to sit in the Senate; and increase their staff allowances.

2. **COCHRAN:** Thinks we should have been empowered to report our recommendations in form of resolutions. (See also his testimony of March 13.)

3. **DE LACY:** Needs an assistant to handle service requests. Bill-drafting service should be expanded. Legislative reference service should be enlarged. Members should be allowed to deduct Washington expenses from income tax. Wants a long-distance telephone allowance and a higher air-mail allowance.

4. **DOLLIVER:** Refer settlement of private claims to Court of Claims.

5. **HARE:** Staffing of major committees in both Houses with qualified men. Let reporting committees pass on departmental rules and regulations before they become effective. Create an advisory commission of businessmen to furnish Congress reliable facts on post-war problems.

6. **LANHAM:** Suggests establishment of an Office of Fiscal Investigations, expert staffing of committees, and monthly executive committee sessions with administrative officers in charge of legislation emanating from committees.

7. **MAY:** There are too many committees; they ought to be consolidated. Would set up an efficient staff to investigate executive agencies. Staff the standing committees, also.

8. **MILLER (Nebraska):** Combine committees concerned with related problems, equip Congress with an independent staff, let Judiciary Committee review executive directives, limit witnesses before Rules Committee, and restrict freedom of conference committees to change laws.

9. **PLOESSER:** Reduce the number of committees; avoid making them too large; both Appropriation Committees should be adequately staffed to obtain full knowledge of executive expenditures.

10. **RICH:** Favors joint sessions of Ways and Means and Appropriations, delegation of claims, consolidating of pension committees, reorganization of Library of Congress, adequate staffing of all committees, and more businesslike management of Members' offices.

11. **ROBERTSON (Virginia):** Recommends creation of a joint, bipartisan committee to study proposed international federation of the democracies, elimination of obsolete standing committees and consolidation of minor ones, abolition of select investigating committees, reduction of powers of committee chairmen, and coordination of taxation and appropriations committees.

12. **SCRIVNER:** Would refer departmental rules and regulations back to committees which handled original legislation for their approval or rejection.

13. **STOCKMAN:** Elect committee chairmen by secret-ballot vote of all members of majority party; staff all committees with independent, unbiased experts; let each member have an executive secretary at \$6,000; grant a travel allowance for one complete annual tour of the Member's district; extend the merit system of appointments; reorganize and reduce the committee system, providing for twin committees in both Chambers; adopt the question period; delegate the settlement of private claims to a Federal agency; lengthen House terms to 4 years and stagger them; and increase congressional salaries.

14. **TABER:** Research staff should be under control of House and Senate, not under Librarian or Comptroller General.

15. **TRIMBLE:** Let committees and the Houses meet on different days. Expand the Office of Legislative Counsel and provide Members with expert staffs.

16. **WHITE:** Reorganize, strengthen, and streamline the House Appropriations Committee.

17. **WIGGLESWORTH:** Congress should spend from \$200,000 to \$300,000 a year for an adequate and competent staff. All reports and recommendations of the Comptroller General should be promptly considered, preferably by a special committee.

APPENDIX IV

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-SEVENTH CONGRESS

Senate

S. Res. 30—Mr. Adams; January 8, 1941 (Rules).

Amends rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration.

S. Res. 50—Mr. Ellbo; January 23, 1941 (Rules).

Admits to the floor of the Senate female clerks to Senators and committees.

S. Res. 158—Mr. Guffey and Mr. White; August 25, 1941 (Audit and Control the Expenses of the Senate). (Passed.)

Authorizes the employment of a research assistant for each of the majority and minority leaders of the Senate.

S. Res. 293—Mr. Downey; September 25, 1942 (Military Affairs).

Provides for an investigation looking to the creation of greater unity and cooperation between Congress and the President in the prosecution of the war.

S. Res. 315—Mr. Pepper; November 23, 1942 (Rules).

Amends the so-called cloture rule of the Senate.

S. Con. Res. 42—Mr. Barkley; December 15, 1942. (Agreed to.)

Authorizes the presiding officers of the two Houses to sign enrolled bills and joint resolutions after sine die adjournment.

S. J. Res. 87—Mr. Davis; June 26, 1941 (Library).

Creates a joint congressional bipartisan committee to study post-war problems.

House

H. Res. 47—Mr. Nichols; January 8, 1941 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Aviation.

H. Res. 100—Mr. Maas; February 7, 1941 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Air Services.

H. Res. 387—Mr. Rankin; December 12, 1941 (Rules).

Amends clause 40, rule XI, of the Rules of the House of Representatives of the Seventy-seventh Congress to define the jurisdiction of the Committee on World War Veterans' Legislation.

H. Res. 414—Mr. Hall; January 21, 1942 (Rules).

Amends the discharge rule XXVII of the House of Representatives.

H. Res. 513—Mr. Collins; June 29, 1942 (Rules).

Providing for the amendment of rule X of the House of Representatives by establishing a standing Committee on National Defense.

H. Res. 516—Mr. O'Brien (Michigan); July 6, 1942 (Rules).

Amends rule XI, section 48 to require regular meeting dates for standing committees of the House of Representatives.

H. Res. 579—Mr. Lesinski; December 2, 1942 (Rules).

Amends clause 24 and clause 40, of rule XI, of the Rules of the House of Representatives of the Seventy-seventh Congress to define the jurisdiction of the Committee on Veterans' Affairs and the Committee on World War Veterans' Legislation.

H. J. Res. 179—Mr. Voorhis (California); May 5, 1941 (Accounts).

Establishes a legislative staff for the Congress.

H. J. Res. 182—Mr. Tolan; May 7, 1941 (Expenditures in the Executive departments).

Authorizes Executive departments to aid select and special committees of either House of the Congress.

H. J. Res. 244—Mr. Maas; November 5, 1941 (Rules).

Creates a Joint Committee on Priorities and Allocations.

H. J. Res. 353—Mr. Dirksen; October 19, 1942 (Rules).

Establishes a Joint Congressional Committee on Military and Naval Affairs and Appropriations.

H. R. 984—Mr. Hill (Washington); January 3, 1941 (Accounts).

Provides for the installation of an automatic machine for recording and counting votes in the House of Representatives.

H. R. 4901—Mr. Keogh; May 28, 1941 (Accounts).

Amends the act of March 2, 1929 (ch. 526, 45 Stat. 1542), by establishing the Office of Law Revision Counsel.

H. R. 6667—Mr. Lanham; February 24, 1942 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. R. 7068—Mr. Keogh; May 11, 1942 (Accounts).

Amends the act of March 2, 1929 (ch. 526, 45 Stat. 1542), by establishing the Office of Law Revision Counsel.

H. R. 7842—Mr. Thom; December 3, 1942 (Judiciary).

Provides that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives.

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-EIGHTH CONGRESS

Senate

S. Res. 22—Mr. Wiley; January 7, 1943 (Foreign Relations).

Invites the President to join with the Senate in the creation of a Foreign Relations Advisory Council.

S. Res. 154—Mr. Gillette; June 1, 1943 (Rules).

Authorizes a study of the Standing Rules of the Senate with a view to their general revision.

S. Res. 169—Mr. La Follette; July 5, 1943 (Rules).

Revises the standing committees of the Senate and defines their jurisdiction.

S. Con. Res. 23—Mr. Maloney; November 9, 1943 (Rules).

Establishes a Joint Committee on the Organization of the Congress.

S. Con. Res. 32—Mr. Andrews; January 28, 1944 (Rules).

Provides for a joint rule of the House and Senate relative to the subject matter of bills and joint resolutions and manner of revising or amending statutes.

S. Con. Res. 47—Mr. Barkley; June 23, 1944. (Agreed to.)

Authorizes the presiding officers of the two Houses to sign enrolled bills and joint resolutions after adjournment.

S. J. Res. 22—Mr. Pepper; January 18, 1943 (Education and Labor).

Appoints a joint committee of the Congress to make a study of war and post-war problems.

S. J. Res. 60—Mr. La Follette; May 17, 1943 (Foreign Relations).

Establishes a committee to provide for the formation of a Pan-American Legislative Union.

S. J. Res. 145—Mr. Pepper; August 15, 1944 (Rules).

Authorizes the broadcasting of the proceedings of the Senate and the House of Representatives.

S. 764—Mr. Tydings; February 25, 1943 (Appropriations).

Establishes a joint committee of Congress to conduct studies, make analyses of, and evaluate requests for, appropriations.

S. 1556—Mr. Bone; November 30, 1943 (Expenditures in the Executive Departments).

Relates to the assignment of personnel from the executive branch of the Government to congressional committees in connection with certain investigations.

S. 1730—Mr. George and Mr. Murray; February 22, 1944 (Military Affairs).

Creates an Office of Demobilization, establishes general policies for the operation of that Office, provides for the settlement of claims arising from terminated war contracts, provides for the disposal of surplus Government property, etc. Includes section on surveillance by Congress.

House

H. Res. 19—Mr. Dirksen; January 6, 1943 (Rules).

Creates the Select Committee on Congressional Reorganization.

H. Res. 22—Mr. Ludlow; January 6, 1943 (Rules).

Creates a Committee on Fiscal Planning.

H. Res. 27—Mr. Voorhis of California; January 6, 1943 (Rules).

Provides for continuing review of the work of executive agencies by standing committees of the House.

H. Res. 60—Mr. Voorhis (California); January 19, 1943 (Rules).

Provides for continuing review of the work of executive agencies by standing committees of the House.

H. Res. 126—Mr. Rankin; February 19, 1943 (Rules).

Relates to reporting debates as heard on the floor of the House.

H. Res. 325—Mr. Jensen; October 19, 1943 (Rules).

Provides examiners and other personnel necessary for the acquisition of adequate information for the use of the subcommittees of the Committee on Appropriations.

H. Res. 327—Mr. Kefauver; October 19, 1943 (Rules).

Amends the Rules of the House to provide for a question period at which heads of executive departments and independent agencies are requested to appear and answer questions.

H. Res. 354—Mr. Wickersham; November 10, 1943 (Rules).

Grants the subpoena power to the Committee on Agriculture.

H. Res. 358—Mr. Lanham; November 18, 1943 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. Res. 365—Mr. Phillips; November 24, 1943 (Rules).

Amends rule XI of the Rules of the House so as to grant to standing committees the power of subpoena.

H. Res. 410—Mr. Rankin; January 24, 1944 (Rules).

Amends the Rules of the House of Representatives to define jurisdiction of Committee on World War Veterans' Legislation.

H. Con. Res. 8—Mr. Dirksen; January 19, 1943 (Rules).

Establishes a Joint Congressional Committee on Economy and Efficiency, and for other purposes.

H. Con. Res. 54—Mr. Monroney; November 9, 1943 (Rules).

Creates a joint committee for the purpose of studying means for improving the organization and effectiveness of Congress.

H. J. Res. 10—Mr. Dirksen; January 6, 1943 (Rules).

Establishes a Joint Congressional Committee on Military and Naval Affairs and Appropriations.

H. J. Res. 53—Mr. Burdick; January 14, 1943 (Rules).

Establishes a joint committee of the Senate and House to formulate social-security legislation.

H. J. Res. 57—Mr. Dirksen; January 13, 1943 (Library).

Provides additional research personnel for the committees of Congress.

H. J. Res. 66—Mr. Dirksen; January 25, 1943 (Rules).

Establishes the Joint Committee on Administrative Review.

H. J. Res. 116—Mr. Elmer; April 17, 1943 (Rules).

Provides for a more coordinated effort in developing a sound economy to meet the requirements of war and peace and to promote the general welfare. Creates a special joint bipartisan committee.

H. J. Res. 173—Mr. Pittenger; October 18, 1943 (Rules).

Establishes joint congressional committees to obtain complete information with respect to the functioning of the executive departments and independent agencies of the Government.

H. J. Res. 309—Mr. Hare; September 13, 1944 (Accounts).

Provides for the appointment of expert employees to assist major standing committees of the Senate and House of Representatives.

H. J. Res. 311—Mr. Coffee; September 19, 1944 (Rules).

Authorizes the broadcasting of the proceedings of Congress.

H. R. 78—Mr. Keogh; January 6, 1943 (Accounts).

Creates the Office of Law Revision Counsel in the House.

H. R. 83—Mr. Lanham; January 6, 1943 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. R. 1479—Mr. Kefauver; January 25, 1943 (Judiciary).

Provides that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives.

H. R. 2468—Mr. Cochran; April 12, 1943 (Accounts).

Authorizes the assignment of personnel from departments or agencies in the executive branch of the Government to certain investigating committees of the Senate and House.

H. R. 2499—Mr. Hoffman; April 15, 1943 (Judiciary).

Aids in the preservation of freedom of speech and of the press. Provides for conferences between Congress and executive officials.

H. R. 4252—Mr. Rees (Kansas); February 23, 1944 (Accounts).

Creates a congressional Bureau of Efficiency.

H. R. 4392—Mr. Kefauver; March 13, 1944 (Judiciary).

Creates an Office of Demobilization, establishes general policies for the operation of that Office, provides for the settlement of claims arising from terminated war contracts, prescribes the jurisdiction of courts in connection therewith, etc. Contains a section on surveillance by Congress.

H. R. 5227—Mr. Dingell; August 22, 1944 (Ways and Means).

Amends the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes. Creates a Special Joint Committee on Post-War Adjustment.

H. R. 5485—Mr. Smith (Virginia); November 20, 1944 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee

on the Organization of Congress; and for other purposes.

H. R. 5486—Mr. Voorhis (California); November 20, 1944 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee on the Organization of Congress; and for other purposes.

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-NINTH CONGRESS TO MARCH 4, 1945

Senate

S. Res. 7—Mr. Fulbright; January 6, 1945 (Rules).

Provides for a report and question period. S. Res. 12—Mr. Vandenberg; January 6, 1945 (Rules).

Adds a new standing rule relative to river and harbor projects.

S. Res. 19—Mr. McCarran; January 6, 1945 (Rules).

Authorizes establishment of a standing Committee on Civil Aviation and Aeronautics.

S. Res. 30—Mr. Barkley; January 10, 1945. (Agreed to.)

Amends standing rules to provide for the appointment of 33 standing committees.

S. Res. 40—Mr. McCarran; January 22, 1945 (Rules).

Amends standing rules of Senate by authorizing standing committees to make investigations and conduct studies within their jurisdiction. Designed to obviate the need of establishing select or special committees.

S. Res. 77—Mr. Wherry; February 15, 1945 (Audit and Control Contingent Expenses of the Senate).

Relates to payments from the contingent fund of the Senate in connection with inquiries and investigations.

S. Con. Res. 7—Mr. Barkley (for Mr. Maloney); January 11, 1945 (Rules).

Establishes a Joint Committee on the Organization of Congress.

S. Con. Res. 10—Mr. Andrews; February 15, 1945 (Rules).

Establishes joint rules confining every bill and resolution to one subject, and requiring reenactment and publication of amended or revised laws.

S. J. Res. 2—Mr. La Follette; January 6, 1945 (Foreign Relations).

Establishes a committee to provide for the formation of a Pan-American Legislative Union.

S. 380—Mr. Murray et al; January 22, 1945 (Banking and Currency).

Creates a Joint Committee on the National Budget as part of a full-employment policy and program.

S. 469—Mr. Byrd; February 5, 1945 (Banking and Currency).

Provides for the financial control of Government corporations.

House

H. Res. 19—Mr. Lesinski; January 3, 1945 (Rules).

Amends the rules to define the jurisdiction of the Committee on Veterans' Affairs and the Committee on World War Veterans' Legislation.

H. Res. 24—Mr. Patman; January 3, 1945 (Rules).

Creates a Select Committee on Small Business and defines its powers and duties.

H. Res. 31—Mr. Kefauver; January 3, 1945 (Rules).

Amends the Rules of the House to provide for a report and question period at which heads of departments, agencies, and independent establishments in the executive branch of the Government are requested to appear and answer questions.

H. Res. 33—Mr. Ludlow; January 3, 1945 (Rules).

Creates a Committee on Fiscal Planning. H. Res. 34—Mr. Randolph; January 3, 1945 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Aviation.

H. Res. 55—Mr. Woodrum (Virginia); January 18, 1945 (agreed to).

Establishes a Select Committee on Post-War Military Policy.

H. Res. 61—Mr. Lanham; January 8, 1945 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. Res. 64—Mr. Patman; January 8, 1945 (Rules).

Creates a Select Committee on Small Business of the House and defines its powers and duties.

H. Res. 65—Mr. Phillips; January 8, 1945 (Rules).

Amends rule XI of the Rules of the House so as to grant the standing committees the power of subpoena.

H. Res. 91—Mr. Rankin; January 16, 1945 (Rules).

Amends clause 40, rule XI, of the Rules by defining the jurisdiction of the Committee on World War Veterans' Legislation.

H. Res. 98—Mr. Sumners (Texas); January 18, 1945 (Rules).

Amends rule III of the House with respect to the duties of the Clerk of the House.

H. Con. Res. 5—Mr. Dirksen; January 3, 1943 (Rules).

Establishes a Joint Congressional Committee on Economy and Efficiency, and for other purposes.

H. Con. Res. 17—Mr. Cunningham; January 9, 1945 (Rules).

Establishes a Joint Committee to Investigate Federal Government Competition with Private Business.

H. Con. Res. 18—January 22, 1945 (passed).

Establishes a Joint Committee on the Organization of the Congress.

H. J. Res. 4—Mr. Celler; January 3, 1945 (Rules).

Creates a Committee on Federal and State Relations.

H. J. Res. 6—Mr. Dirksen; January 3, 1945 (Library).

Provides additional research personnel for the committees of Congress.

H. J. Res. 64—Mr. Sumners (Texas); January 8, 1945 (Rules).

Creates a joint committee from the Senate and House to investigate and report as to how the Federal Government may get relief from the overburden of its governmental responsibility.

H. J. Res. 89—Mr. Coffee; January 29, 1945 (Rules).

Authorizes the broadcasting of the proceedings of Congress.

H. R. 397—Mr. Dirksen; January 3, 1945 (Judiciary).

Creates a Commission on Congressional Salaries.

H. R. 399—Mr. Dirksen; January 3, 1945 (Accounts).

Creates a Joint Legislative Staff Service for the Congress.

H. R. 471—Mr. Keogh; January 3, 1945 (Accounts).

Creates the Office of Law Revision Counsel in the House.

H. R. 588—Mr. Smith (Virginia); January 3, 1945 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee on the Organization of Congress; etc.

H. R. 628—Mr. Voorhis (California); January 3, 1945 (Rules).

Provides a Joint Legislative Staff Service for the Congress and for appropriate continuous review by committees of the Congress of the exercise by executive agencies of powers granted by the Congress and the

carrying out of the intent of Congress as expressed in legislative enactment.

H. R. 1834—Mr. Hook; January 29, 1945 (Rules).

Prescribes the procedures of legislative investigating committees and protects the rights of parties under investigation by such committees.

H. R. 2202—Mr. Patman; February 15, 1945 (Expenditures in Executive Departments).

Establishes a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State, and local governments, and the Federal Government. Includes provision for a Joint Committee on the National Budget. Identical with S. 380.

APPENDIX V

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

Summary of hearings, March 13, 1945

The Joint Committee on the Organization of Congress opened its hearings today. The following members of the committee were present: Senators LA FOLLETTE (chairman), PEPPER, THOMAS, AND WHITE; and Representatives MONROE (vice chairman), COX, LANE, and PLUMLEY.

Senator LA FOLLETTE opened the hearings with a statement sketching the background of the committee's inquiry, the development of congressional interest in self-improvement, and evidence of public interest in legislative reform. "Congress has recognized the challenge," he said, "by creating this joint committee to make a full and complete study and recommendations for improvement." The chairman paid high tribute to the late Senator Maloney, co-author of the resolution under which the joint committee is operating, and lamented his untimely death. Senator LA FOLLETTE went on to describe the committee's plan of action, stating that it has begun its inquiry with a survey of congressional opinion upon methods for strengthening the Congress. "Later on," he said, "the committee will hear other interested groups and individuals."

Senator McCARRAN, of Nevada, chairman of the Senate Committee on the Judiciary, was the first witness. Senator McCARRAN invited the committee's attention to the resolution (S. Res. 40) which he introduced on January 22, empowering the standing committees of the Senate to make investigations and conduct studies of matters within their jurisdiction. "This resolution aims," he said, "to obviate the necessity of setting up special investigating committees to study matters already within the jurisdiction of the existing standing committees." Senator McCARRAN voiced his objection to the censorship exercised over the expenditures of the standing committees of the Senate by the Committee to Audit and Control. As an example of the crippling effect of such control, he pointed to the inability of the Judiciary Committee, because of lack of adequate funds, to make the study authorized by the Shipstead resolution of the operation of executive agencies.

Representative JOHN J. COCHRAN, of Missouri, chairman of the House Committee on Accounts, was the second witness. Mr. COCHRAN expressed regret at the limitations imposed upon the joint committee in section 2 of its authorizing resolution. He thought that the committee should have been given power to recommend legislation directly to both Houses, pointing out that the Committee on Rules could veto any or all recommendations ultimately made by the joint committee. Mr. COCHRAN welcomed the creation of this committee and expressed the hope that it would make a comprehensive study and not merely confine its recommendations to increased compensation for congressional personnel.

The main points made by Mr. COCHRAN were as follows: The Office of Legislative Counsel should be strengthened; Congress should be equipped with adequate research facilities to serve all its committees and Members; an Investigation Division should be established in the General Accounting Office to make special studies for standing committees. As a first step in this direction, he pointed out that the Independent Offices Appropriation Act provides \$65,000 for this purpose. Mr. COCHRAN observed that the House of Representatives has already authorized several special investigating committees in the Seventy-ninth Congress; he expressed his objection to this device, feeling with Senator McCARRAN that investigations should be made by the standing committees, with the assistance of the General Accounting Office. The Congressman also expressed himself as favoring the device of joint committees with joint staffs like the Joint Committee on Internal Revenue Taxation.

Mr. COCHRAN thought that the number of standing committees in the House might well be reduced to not more than 20 by dropping the inactive committees and consolidating those with overlapping jurisdictions. He gave several examples of possible committee consolidations.

Mr. COCHRAN also deplored the frequent turn-over among committee clerks every time a change in chairmanship occurred. These clerical positions, he felt, should be career jobs and the standing committees should be restaffed with qualified nonpartisan personnel. He gave the House Committee on Expenditures in the Executive Departments as an example of a committee which lacks a staff adequate to perform its functions.

There ensued a general round-table discussion among the members of the joint committee present, with special reference to the problem of adequate staffing, the resources and needs of the Legislative Reference Service in the Library of Congress, the use of exclusive committees in the House, the scope of the study to be made, and related matters.

Summary of hearings, March 15, 1945

The Joint Committee on the Organization of Congress continued its hearings today, pursuant to House Concurrent Resolution 18. The following members of the committee were present: Senator LA FOLLETTE, THOMAS, and Representatives MONRONEY, COX, LANE, and MICHENER.

Congressman VOORHIS of California was the first witness. Mr. VOORHIS opened his statement by stressing the vital importance of the decisions facing Congress on post-war foreign and domestic problems. In order to meet these tasks effectively, he argued, Congress must be better organized and equipped than it now is. There is widespread public interest in and support for changes in legislative organization and operation designed to strengthen the Congress, he said.

Representative VOORHIS submitted to the committee a series of specific suggestions under the following headings:

1. **Staffing:** Both the individual Members, the committees, and Congress as a whole, he said, should be adequately staffed. Individual Members should be provided with administrative assistants at perhaps \$7,500 a year to assist them in their office and departmental work and they should be also furnished with more technical assistants. Likewise, the supervisory and legislative committees of both Chambers should be equipped, according to Representative VOORHIS, with their own qualified, expert staffs. These committees now receive much valuable information from departmental experts, he admitted, as well as from representatives of special-interest groups, but such advice often amounts to special pleading, or is ex parte in character. He felt that Congress ought not to rely solely on interested agen-

cies and private groups for guidance, but that it should equip itself with independent sources of reliable information. He paid tribute to the services rendered by the Legislative Reference Service in the Library of Congress, which is handicapped, he said, by low salary levels and should be strengthened. The Legislative Reference Service was described as a fact-finding, not a policy-recommending agency. In support of his recommendation under this heading, Mr. VOORHIS invited the committee's attention to two bills recently introduced by him; H. R. 5483 (78th Cong.) and H. R. 628 (79th Cong.) which would create a joint legislative staff service for the Congress, etc. In comments at this point, Mr. MICHENER raised the question of the danger of patronage appointments to the legislative staff and Mr. MONRONEY suggested that the committees have both majority and minority staff aids.

2. **Committee structure:** Representative VOORHIS advocated simplification of the committee structure of Congress through the process of consolidation. However, some committees, he felt, have too much to do and should be subdivided. Here he suggested that the Ways and Means Committee might well confine itself to taxation and be relieved of jurisdiction of legislation pertaining to social security. The seniority rule on committee chairmanships, he felt, is not always satisfactory, but he had no substitute to suggest.

3. **Leadership:** In order to furnish the Congress with that unity of command which it now lacks, Representative VOORHIS proposed the establishment of Majority and Minority Policy Committees, to be composed of the chairman and ranking minority members, respectively, of the major committees and to be assigned the responsibility of taking an over-all view of national policies and coordinating the legislative program. In at least one field, he pointed out, Congress has already moved in this direction by setting up special Senate and House Committees on Post-War Economic Policy and Planning. The speaker deprecated the practice of embodying legislation in appropriation bills and the tendency of legislative committees to give the right-of-way to legislation originating in the departments and to subordinate private Member bills. In this connection, Mr. MONRONEY suggested the designation of a docket day, at regular intervals, when committees would give exclusive consideration to private Member bills.

4. **Functional group representation:** Mr. VOORHIS also proposed the creation of a National Advisory Council, representing the various organized economic and social groups in the country as an advisory adjunct to the Congress. He cited the National Planning Association as an example of such a representative organization in the nongovernmental field.

5. **Safeguarding delegated powers:** Here the Congressman discussed the complex problem of administrative legislation, referring to the issuance of rules and regulations by administrative agencies under acts delegating powers to them. He felt that these acts should be more carefully drawn and that the standing committees of Congress should be staffed so that they could continuously review the exercise by executive agencies of powers granted by the Congress, as well as determine the extent to which the intent of Congress was being carried out in the administration of law. H. R. 628 of the Seventy-ninth Congress embodies this recommendation.

Representative JENNINGS RANDOLPH, of West Virginia, chairman of the House District of Columbia Committee, was the second witness. Mr. RANDOLPH made two main suggestions: First, that a Joint Committee on the District of Columbia be established as a measure of economy and efficiency; and, second, that the rules of the House of Repre-

sentatives be amended to provide for the establishment of a new standing Committee on Aviation in order to handle more expeditiously the growing volume of legislative business in this field of transportation.

In response to a suggestion that it might be even better to grant self-government to the District of Columbia and so relieve the Congress of the task of a common council, Mr. RANDOLPH expressed himself in favor of granting the suffrage to residents of the District, as proposed in the Capper-Summers resolution, but he anticipated no major change in local government here in the calculable future. The District Committee, he stated, met weekly before the war, but only twice a month, on the average, during the Seventy-eighth Congress. It has, however, a number of active subcommittees.

Mr. RANDOLPH agreed with the earlier testimony of Mr. COCHRAN; that many committees should be merged but he felt that the heavy legislative burdens of the Committee on Interstate and Foreign Commerce, which now handles aviation, together with the magnitude of this new form of transportation, justified the establishment of a new standing Committee on Aviation.

Summary of hearings, March 16, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. The following members of the committee were present: Senators LA FOLLETTE, THOMAS, and PEPPER, and Representatives MONRONEY, MICHENER, and PLUMLEY.

Senator DOWNEY, of California, was the first witness. Senator DOWNEY opened his statement by emphasizing the growing congestion of legislative business and the prospect of its future increase, the heavy burden of work imposed upon Senators from all States, large and small, and upon their overworked office staffs. His office receives 300 letters a day on the average, and perforce gives priority to State business, leaving little or no time for the study of legislative problems. The Mexican Water Treaty, for example, required weeks of study to understand, but only three Senators on the average among the members of the Committee on Foreign Relations had been able to attend the hearings on it. Congress must be strengthened and made more efficient, he said, if it is to cope with the expanding volume of its business and to check bureaucratic power.

Senator DOWNEY's specific proposals are summarized as follows:

1. Every State delegation should have a corps of executive assistants at \$7,500 per year to assist its members in handling State and local matters. In addition, each Senator should have one executive assistant for the same purpose. These men should have had at least 6 years' experience in Washington; they might well be trained for their duties, and some safeguard should be devised against patronage appointments.

2. The number of Senators on the major committees and the number of committee assignments should be reduced. Committee meetings now conflict and thus it is difficult to assemble a quorum of the members.

3. The practice of interrupting debate on pending bills by speeches on extraneous subjects should be corrected by setting aside the period from 10 to 12 a. m. for such speeches, which would be broadcast and announced in advance, under arrangements for a fair division of the time between the majority and minority.

4. While the Senator's present office help was adequate to handle his State work, if he were practicing law on a similar scale, he would require three executive assistants and two technicians, preferably young men between 30 and 40 years of age. With such help Senators could give more valuable service to the Nation.

In conclusion, Senator DOWNEY wished the committee success in its study upon the outcome of which he felt the survival of democratic government in the United States might well depend. Under existing conditions, he said, most important legislation originates in the executive departments, while Congress can only investigate and veto. Our National Legislature must be fortified in order to offset the expansion of executive power.

Representative KEFAUVER, of Tennessee, was the second witness. Mr. KEFAUVER expressed his gratification at the establishment of the joint committee and offered a series of specific suggestions under the following headings:

Methods of Reducing the Legislative Load

1. Set up an autonomous government for the District of Columbia and adopt the provisional order system for reviewing its acts.
2. Refer the settlement of private claims to the Court of Claims or to the district courts, a method by which claimants would receive more equitable treatment than they now do.

3. Enlarge the number of departmental offices in the Capitol such as those maintained now by the War Production Board and the War and Navy Departments, locate these offices next door to the rooms of the committees having jurisdiction over them, and place these offices in charge of responsible officials from the departments. This would save much leg work, promote closer cooperation between the legislative and executive branches, and facilitate committee work.

4. In establishing new administrative agencies, follow the Tennessee Valley Authority plan of handling matters affecting constituents.

5. Relieve Members of Congress of patronage problems in which there is usually more grief than political benefit. Mr. Monroney observed that in England there is a law against seeking political influence in appointments to administrative positions.

Committee Reorganization

1. Reduce the number of standing committees and define their jurisdiction in the rules. Give displaced members places on the consolidated committees and let the majority members choose the new chairman from among the former chairmen of the merged committees.

2. Set up twin committee systems in both Chambers and correlate them with the executive departments.

3. Modify the seniority rule, which works well in 75 percent of the cases, by having committee chairmen elected by secret ballot at the start of each session, a majority or two-thirds of the majority party members of the committee being required to elect, and let the chairmen so elected serve throughout the current Congress.

Committee Staffing

1. Committee clerkships should be career jobs and should be filled without regard to political affiliation, solely on merit, according to standards prescribed in the classification system. Such appointments would be made by a committee of five, of whom two should be named by the Speaker, two by the minority leader, and one by the chairman of the committee concerned. The clerks thus elected would become experts in their work and would serve the entire committee.

Staffing of Members

1. Members of Congress should have an administrative assistant if they need them. The volume of business varies from office to office; some Members now have adequate help, while others are understaffed.

2. Establish a pool of experts in the Legislative Reference Service on all important public problems and make them available to those Members who need such assistance.

3. Strengthen the Office of Legislative Counsel, the services of which are seldom available to individual Members since the office is preoccupied with committee work. Increase the staff of the office to 10 or 12 lawyers in each House, and have them attach to bills they draft memoranda explaining the purpose and substance thereof. While departmental suggestions on legislation are welcomed, bills in their final form should be drawn up by Congress itself.

Methods of Improving Liaison Between Congress and the Executive

1. Establish majority and minority policy committees in each Chamber.

2. Adopt the resolutions for a "report and question period" introduced in the House and Senate by Mr. KEFAUVER and Mr. FULBRIGHT (H. Res. 31 and S. Res. 8). This innovation could be introduced either by amending the standing rules or by a bill. Mr. KEFAUVER described how this plan would work in the House and the advantages he thought it would yield: It would focus public attention on the House; inform its Members regarding the conduct of the Executive; and provide a check on administration action. Joint sessions of Congress could be held to avoid separate question hours in each House, the proceedings of which would be broadcast. The Congressman had observed the operation of the question hour in the House of Commons on a recent visit to England where he found that the practice was not abused. Steps toward bringing Congress and the Executive face to face on a more limited scale were seen in the monthly meetings of the House Committee on Public Buildings and Grounds with the National Housing Administrator and his aides, as well as the informal meetings of the 79 Club in the House which have been addressed by top-flight Government officials.

3. Broadcast the proceedings of Congress as Senator PEPPER has proposed in his resolution (S. J. Res. 145, 78th Cong.). Such broadcasts would be designed to improve public understanding and appreciation of Congress. Senator PEPPER felt that the entire proceedings should be broadcast, leaving it to the radio audience to listen or not, according to their interests. Mr. KEFAUVER felt it would be better, at the beginning at least, to broadcast only the more significant debates. There would be little public interest, he said, in quorum calls and the transaction of routine business.

Summary of Hearings, March 19, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to H. Con. Res. 18. The following members of the committee were present: Senators LA FOLLETTE, BROOKS, and PEPPER, and Representatives MONRONEY, COX, MICHENER, and PLUMLEY.

Congressman WADSWORTH, of New York, was the first witness. Confining his testimony to the committee system in the House of Representatives, Mr. WADSWORTH said it had "grown like Topsy," in a planless manner, since the early days of the Republic, with the result that legislative matters are today scattered over some 48 committees, of which not more than 15 are important. The other committees rarely meet, he said, but have been continued to provide perquisites for their chairmen and assignments for new Members. New Members come to Washington with fresh enthusiasm, hoping to play a useful part in the legislative process, but their enthusiasm is soon dampened by assignments to unimportant committees. In order to correct these conditions, Mr. WADSWORTH recommended a sweeping reorganization of the committee system in the House. He proposed to reduce the number of standing committees in that chamber from 48 to 16, as follows:

Committee on Agriculture: Absorb Irrigation and Reclamation.

Committee on Appropriations: Absorb Expenditures in the Executive Departments.

Committee on Banking and Currency: Absorb Coinage, Weights, and Measures.

Committee on Civil Service: Absorb Census, Civil Service, Post Offices and Post Roads, District of Columbia.

Committee on Public Works: Absorb Flood Control, Public Buildings and Grounds, Rivers and Harbors, and Roads.

Committee on Interstate and Foreign Commerce: No change.

Committee on the Judiciary: Absorb Patents, and Revision of the Laws.

Committee on Foreign Affairs: Absorb Immigration and Naturalization, and Insular Affairs.

Committee on Labor: Absorb Education.

Committee on the Merchant Marine and Fisheries: No change.

Committee on the Armed Services: Absorb Military Affairs, and Naval Affairs.

Committee on Veterans Affairs: Absorb Pensions, Invalid Pensions, World War Veterans' Legislation.

Committee on Public Lands: Absorb Territories, Mines and Mining, Indian Affairs.

Committee on Ways and Means: No change.

Committee on Rules: No change.

Committee on House Administration: A new committee. Should manage the routine affairs of the House of Representatives. Absorb the Committee on Accounts, Committee on the Disposition of Executive Papers, Committee on Enrolled Bills, Committee on the Library, Committee on Memorials, Committee on Printing, Committee on Election of President and Vice President; Committees on Elections Nos. 1, 2, and 3.

Representative WADSWORTH also urged that a law be enacted providing for the handling of all claims against the Government by a specially created court or by the present Court of Claims and thus relieve the Congress of passing upon claim bills. This would result in the abolition of the Committee on Claims and the Committee on War Claims.

Special investigating committees are created, according to Mr. WADSWORTH, because the standing committees lack jurisdiction of the matters to be investigated. He proposed to give the 16 major standing committees comprehensive jurisdiction over all public problems. In response to an inquiry from Mr. MICHENER whether standing committees should have the power of subpoena, Mr. WADSWORTH thought it should be left to the House itself to determine upon committee request. Senator LA FOLLETTE pointed out that this power is given all Senate committees at the start of each session.

Representative WADSWORTH also advocated better staffing of the streamlined standing committees, which would have 25 members each, on the average. By keeping the Appropriations Committee at its present size (43) every Member of the House would thus have an important committee assignment.

Representative HERTER, of Massachusetts, was the second witness. Mr. HERTER confined his testimony, for the most part, to a description of legislative procedure in Massachusetts, where he had been speaker of the house, with the thought that some features of the Massachusetts legislative practice might be worth congressional emulation. In that State the legislature, which first functioned as a court, still maintains the right of free petition and does not adjourn until all pending petitions for the redress of grievances have been acted upon. The text of and amendments to all bills are reviewed by competent legal authority at the third reading stage before enactment. Under its procedure the Massachusetts Legislature is able to dispose of an enormous volume of business. Mr. HERTER attributed this fact to its use of the following devices:

1. Time limit on bill filing: In Massachusetts all bills must be filed within 3 weeks of the opening of the session. Exceptions

are permitted in the case of messages from the Governor, certain departmental bills, and with the consent of the rules committee. With most legislation thus introduced early in the session, committees can plan their agenda. Public hearings are required on all bills. Mr. HERTER advocated congressional adoption of a similar time limit on bill filing and also the setting aside of a docket day, when committees would give exclusive consideration to private Member bills, a device which would, he thought, reduce the objections to the seniority custom.

2. Appeal from committee decisions: In Massachusetts every bill has to be reported on by the committee to which referred. If one-third of the members of a committee so desire, a bill must be put upon the calendar for a vote. Adverse committee reports are usually acquiesced in by the house. Mr. HERTER suggested that this form of appeal from adverse committee decisions would be less cumbersome than our method of discharge petitions.

3. Powers of the Rules Committee: Mr. HERTER suggested that the Committee on Rules should not have the power of deciding which committee reports may be considered by the whole House, but should be confined merely to determining the order of their consideration. The Rules Committee, he felt, ought not to be permitted to prevent the submission of favorable committee reports to the whole House.

4. Joint committees and joint hearings: The tendency in the Massachusetts House is to use joint committees and to hold joint hearings on common problems. This is done in the case of taxation and appropriation matters. This procedure saves the time of witnesses, results in a single set of hearings, and speeds up the legislative process.

5. Powers of conferees: Mr. HERTER would restrict the powers of conferees to the consideration of only those parts of pending measures with respect to which there is disagreement between the Chambers. Conference committees ought not to be able, he argued, to strike out sections that have passed both Houses or completely to rewrite bills in conference.

6. Legal language: Mr. HERTER thought that the language of the law is often too technical and confusing. He gave as an example the Merchant Marine Act of 1936, which he said was a hodgepodge of draftsmanship. To correct this condition he suggested following the Massachusetts practice under which pending legislation must be clarified by the office of legislative counsel before its final passage.

7. Handling fiscal affairs: Here the Massachusetts practice under the executive budget is to present a consolidated balance sheet giving an over-all picture of anticipated receipts and expenditures. Members and committees proposing appropriations in excess of the budget are required to specify the source of the funds from which the proposed expenditure is to be defrayed. In the financial operation of Congress, on the other hand, there is no fiscal pattern and appropriations are made in a vacuum. Mr. HERTER commended the Massachusetts practice to Congress in this respect.

He also suggested that the conduct of business on the floor of the House be more closely supervised by the Speaker so as to eliminate discussion irrelevant to the matter in hand.

In response to a query about broadcasting the proceedings of Congress, Mr. HERTER was doubtful of its wisdom. The radio networks could not give complete coverage to all proceedings of both Houses, which usually meet at the same time, which raises the problem as to which parts of the proceedings would be put on the air.

Summary of hearings, March 22, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18.

Vice Chairman MONRONEY presided, and Representatives COX, LANE, MICHENER, and PLUMLEY were present.

Representative LaFOLLETTE, of Indiana, was the first witness. Mr. LaFOLLETTE presented the viewpoint of the individual Congressman on the question of staff assistance. He argued that not only the committees of Congress but also the individual Members need independent, unbiased, and qualified research help. Under existing conditions, he said, bills introduced by Members are often handed them by representatives of private organizations and the Member has no means of making adequate study of the underlying problems. All bills introduced should be accompanied, he suggested, by supporting briefs. Legislative staff personnel, he believed, should engage not merely in fact-finding, but should also make critical analyses of timely public problems and advise Members on questions of policy. They should also be appointed on a civil-service basis without reference to political affiliations, and solely on the basis of fitness to perform their duties.

Mr. LaFOLLETTE also urged that the House should have an opportunity to vote on all committee reports, including adverse ones, which is the practice in Indiana, Vermont, and other States. As it is, Mr. PLUMLEY pointed out, committees customarily refer bills to the departments concerned and are often guided by their wishes in disposing of them. A discussion ensued of the discharge-petition procedure under which few laws have been enacted.

In general, Representative LaFOLLETTE felt that Congress has two main tasks: to improve the quality of its work, and to make it more responsive to the democratic process.

Senator FULBRIGHT, of Arkansas, was the second witness. Senator FULBRIGHT concentrated his remarks upon the need of promoting better teamwork between the legislative and executive branches of the National Government. The system of separated powers worked well enough under the simple conditions of an earlier day, he said, but under modern conditions it gives rise to dangerous deadlocks which may jeopardize world peace and domestic prosperity after the war. During 27 out of the 79 Congresses to date, the executive branch and one or both Houses of the National Legislature had been controlled by opposite political parties, creating serious deadlocks. The positive role of the state in the modern world now makes it essential that we devise means for bridging the gap between Congress and the President. The basic problem, as the Senator put it, is one of combining a strong executive with the maintenance of legislative supremacy.

In order to satisfy these requirements, Senator FULBRIGHT submitted two suggestions: (1) Adoption of a report-and-question period (S. Res. 7) as a means of bringing Congress and the administration face to face and strengthening legislative control; and (2) the establishment of a Joint Executive-Legislative Cabinet to be composed of the members of the President's Cabinet, on the one hand, and, on the other, of the chairmen of the new streamlined joint standing committees of the Congress. This innovation, the Senator argued, would merely represent the logical extension of the principle of collaboration already being applied in the periodic conferences between State Department officials and members of the Committee on Foreign Relations. This cooperation was working well in the field of foreign affairs, at Mexico City, for example, and it might well be applied to the whole field of foreign and domestic policies. Establishment of such a joint cabinet, he said, would require neither an act of Congress nor constitutional amendment, but merely an Executive order and a joint resolution. In this way Congress would be able to participate in international negotiations at each stage of their develop-

ment, thus implementing the "advice" as well as the "consent" provision of article II, section 2 of the Federal Constitution.

Senator FULBRIGHT also suggested, for adoption at some later date, the power of dissolution under which the President could dissolve the Government, in cases of deadlock between the two branches, and precipitate a general election. The Government should change hands, he thought, whenever the party in power loses the confidence of the country, as President Wilson did in 1918 and as President Hoover did in 1930, when their parties lost control of the House of Representatives.

Representative KEOGH, of New York, was the last witness. As chairman of the House Committee on the Revision of the Laws, Mr. KEOGH argued that the form as well as the substantive content of the law is important. He felt that the mechanics of bill drafting should be improved and that his committee should be equipped with an Office of Law Revision Counsel (H. R. 471) which should (a) examine all the public acts of Congress and submit recommendation to such committee for the repeal of obsolete, superfluous, and superseded provisions of law contained therein; (b) prepare and submit to such committee a complete compilation, re-statement, and revision of the general and permanent laws of the United States, one title at a time, which shall conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, with the view of the enactment of each title as positive law; and (c) advise and assist the Committee on Revision of the Laws whenever called upon to do so.

Mr. KEOGH reviewed the history of efforts to codify the public acts of Congress, described the activities of his own committee, and explained the functions of the proposed Law Revision Counsel, the lack of which has hitherto rendered previous efforts at codification valueless. This reform, he stated, has been endorsed by many Federal judges and members of the bar, excerpts from whose letters of endorsement were inserted in the record of the hearing. The new Office of Law Revision Counsel, under Mr. KEOGH's plan, would be integrated with the existing Office of Legislative Counsel, which now receives an annual appropriation of \$83,000, whereas executive agencies are spending many times as much for similar services. Mr. MONRONEY suggested that the bill-drafting service should also follow the Government Style Manual in order to promote uniformity of style in the Federal statutes.

Summary of hearings, March 26, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. Those present were Senator LaFOLLETTE (chairman), Representative MONRONEY (vice chairman), and Messrs. COX, MICHENER, and PLUMLEY.

Congressman BLAND, of Virginia, chairman of the House Committee on the Merchant Marine and Fisheries, was the first witness. Mr. BLAND described the work and jurisdiction of his committee and its staff facilities. He compared the compensation of his committee staff with that of other major House committees. The clerk of the committee, for example, receives \$3,200 per year, compared with \$3,300 for other committee clerks. His assistant clerk receives \$1,740, compared with \$2,480 paid other assistant clerks. His janitor receives \$1,260, compared with the prevailing janitor pay of \$1,520. Mr. BLAND argued that these discrepancies should be corrected, and advocated the employment of the clerical force of congressional committees on a permanent nonpolitical basis.

Describing the volume of his committee business, Representative BLAND stated that, at the last session of Congress, 104 bills had been referred to it; 64 public hearings had been held; and 78 executive sessions, consuming 326½ hours; and 27 bills reported by the committee had been enacted. This committee works hard, he said, and is one of the most important in the House.

Representative BLAND made two positive proposals: First, that each Member should be authorized to employ an administrative assistant to help him on legislative problems; and, second, that the standing committees should be furnished funds to finance their investigations as a substitute for special committee inquiries. Because of lack of funds, he said, his own committee had been unable to make various important studies.

The second witness was Representative PRIEST, of Tennessee. Mr. PRIEST expressed his deep interest in the joint committee's undertaking and his concern whether Congress can continue to function, or even survive, unless steps are taken to reduce the legislative load. Eighty percent of his time, he said, is occupied with nonlegislative matters, including the handling of constituent requests before the departments. On a typical day, for example, 46 out of 48 visitors to his office came on nonlegislative business.

Mr. PRIEST made two suggestions to relieve Congressmen of nonlegislative burdens so as to enable them to give more time to legislation for public welfare: first, establish a general liaison office on Capitol Hill, with a competent staff, to assist Members in handling their departmental business; and, second, permit Members to employ administrative assistants on a permanent nonpartisan basis. He also advocated equipping the standing committees with expert staffs qualified to render independent advice on pending problems. As an example of the need of expert staffs, Mr. PRIEST cited the Interstate and Foreign Commerce Committee of which he is a member. This committee recently held 26 days of hearings on proposals to amend the Railroad Retirement Act, at which actuaries from the Railroad Retirement Board and the carriers presented conflicting tables. This committee needs an actuary on its staff, he said, in order to review and appraise such conflicting testimony.

In response to an inquiry from Representative MONROE for his opinion on Mr. RAMSPECK's proposal to establish a body of so-called assistant Congressmen to aid Members in their work, Mr. PRIEST doubted if this was the right solution of the staffing problem.

Summary of hearings, March 28, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. Those present were Senator LA FOLLETTE (chairman), Senator PEPPER, and Representatives COX, LANE, and MICHENER.

Representative HAYS, of Arkansas, was the first witness. Mr. HAYS advocated consolidation of committees dealing with related matters and their adequate staffing. He urged that recess periods be planned more systematically, two or three times a year, so as to permit Members to maintain closer contact with their constituents, interpreting legislation to the voters and receiving their reactions. He favored the establishment of Committees on Public Welfare and National Defense. As a means of getting information concerning legislative policies and procedures abroad, Mr. HAYS favored the establishment of closer relations with parliamentary institutions in other countries. He suggested the establishment of a Pan-American Interparliamentary Union, including Canada, and described the activities of the British Empire Parliamentary Association.

Senator WHERRY, of Nebraska, was the second witness. Senator WHERRY called atten-

tion to the resolution which requires all standing and select committees of the Senate to submit monthly reports upon their use of borrowed personnel. He invited the committee's attention to his remarks on the subject in the Senate on January 29 last, pointing out that in the period from August 23 to December 31, 1944, 14 Senate committees had borrowed 97 individuals from 26 Federal agencies to assist them. During February 1945 these reports show that 9 Senate committees had utilized the services of 66 persons from various administrative agencies. The Small Business Committee of the Senate, for example, is relying largely on such borrowed help. The Senator intimated that he considered this a dubious practice in that it gives rise to divided loyalties. He thought the committees should hire their own help rather than borrow it. The Senator pointed out that many select committees set up for special purposes often prove to be permanent. One of these, he said, had not submitted a report for 12 years.

Congressman SUMNERS of Texas, chairman of the House Committee on the Judiciary, was the third witness. Judge SUMNERS invited the committee's attention to his House Resolution 98 authorizing the Clerk of the House, in case of a recess or adjournment, to receive on behalf of the House, any bill, resolution, order, or vote which may be returned to the House by the President with his objections. The purpose of this resolution, he explained, was to prevent the "pocket vetoing of bills."

Representative SUMNERS thought that the legislative power should be restricted to Congress alone. He deprecated the President's participation in legislation through exercise of the veto power, which is equivalent, he said, to 15 votes in the Senate and 71 votes in the House. He suggested that the Constitution might be amended so as to permit Congress to override a Presidential veto by a simple majority vote of both Houses. The Congressman also called attention to the growing tendency of Congress to reserve the right to terminate by concurrent resolution powers delegated to the President or department heads.

Representative SMITH of Virginia, chairman of the Select Committee to Investigate Acts of Executive Agencies Beyond the Scope of their Authority, was the last witness. Judge SMITH stated that his committee had prosecuted its inquiry for 2 years, rendered eight intermediate reports, and introduced a bill (H. R. 588) to create a Joint Legislative Staff Service for the Congress, a Joint Committee on Appropriations, a Joint Committee on Executive Agencies and Procedures, and a Joint Committee on the Organization of Congress. Confining his testimony to those provisions of this bill which would create a Joint Legislative Staff Service and a Joint Committee on Executive Agencies and Procedures, Judge SMITH cited four types of administrative legislation whereby, he said, our system of government is being changed and constitutional boundaries are breaking down:

1. Legislation by sanction: As an example of this practice, Representative SMITH cited the Montgomery Ward case and the case of a company which was forbidden to manufacture airplane landing lights because it refused to reinstate certain dismissed employees.

2. Legislation by subsidy: The granting of livestock subsidies to those observing Office of Price Administration meat and livestock prices was given as an example here.

3. Legislation by regulation: An example of this was seen in an order of the Wage-Hour Division, forbidding home work under certain conditions.

4. Legislation by interpretation: The interpretation of the Stabilization Act of 1942 by Executive and administrative orders, in such a way as to amend the revenue laws and deny court appeal, was given as an illustration of this type of legislation.

In order to correct these alleged acts beyond the scope of granted authority, Representative SMITH argued that Congress should have its own legislative staff service to draft its own legislation. The members of the legislative staff, he stated, should be appointed without reference to political affiliations and should (1) advise and assist the committees of both Houses of Congress in the analysis, appraisal, and evaluation of recommendations submitted to the Congress by the President or any executive agency; (2) aid legislative and conference committees of Congress in analyzing proposed legislation before them; and (3) assist congressional committees in the furnishing of a basis for a proper determination of measures affecting public policy.

Mr. SMITH also favored revamping jurisdiction of the standing committees in such a way as to utilize the enthusiasm and talents of new Members of Congress. Authors of bills should have an opportunity, he felt, to be heard by the committees to which they are referred. In order to ascertain whether any administrative rules or regulations are beyond the scope of the authority granted, or invade the constitutional rights and privileges or immunities of citizens, Mr. SMITH also advocated a Joint Committee on Executive Agencies and Procedures, with an adequate staff.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 807. A bill to improve salary and wage administration in the Federal service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; and for other purposes; to the Committee on Civil Service.

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend the Social Security Act, as amended, for the purpose of covering ministers of religion, and other officers or employees of churches and religious organizations under the old-age and survivors' insurance provisions of the act.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred.

By Mr. LANGER:

S. 808. A bill to amend the Social Security Act, as amended, for the purpose of permitting the coverage of ministers of religion, and other officers or employees of churches and religious organizations under the old-age and survivors' insurance provisions of such act; to the Committee on Finance.

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill known as the so-called Townsend Act, which is similar to the one I introduced last year and which was not acted on.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred.

By Mr. LANGER:

S. 809. A bill to provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60, and also covering total disability, from whatever cause, for certain citizens under 60; to give protection to widows with children; to provide an ever-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily

increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys; to the Committee on Finance.

By Mr. McFARLAND:

S. 810. A bill to amend title IV of the National Housing Act, and for other purposes; and

S. 811. A bill to assist veterans to establish small business enterprises by providing for reasonable exemptions from priorities, allocations, and rationing restrictions; to the Committee on Banking and Currency.

By Mr. McFARLAND (for himself and Mr. HAYDEN):

S. 812. A bill to amend section 3 of the San Carlos Act (43 Stat. 475-476) as supplemented and amended, and for other purposes; to the Committee on Indian Affairs.

By Mr. WHEELER:

S. 813. A bill authorizing the Secretary of the Interior to sell certain lands in the State of Montana to Estelle Hughes; and

S. 814. A bill authorizing the issuance of a patent in fee to Josephine Gray Hawk, to the Committee on Indian Affairs.

By Mr. STEWART (by request):

S. 815. A bill for the relief of Ogden & Dougherty, and for other purposes; to the Committee on Claims.

By Mr. FULBRIGHT:

S. 816. A bill authorizing appointments to the United States Military Academy and United States Naval Academy of sons of persons who were killed in action or have died of wounds or injuries received, or disease contracted, while serving in the armed forces of the United States during World War No. 1 or World War No. 2; to the Committee on Military Affairs.

By Mr. McMAHON:

S. 817. A bill granting a pension to Lillian Stevenson; to the Committee on Pensions.

RELIEF OF CERTAIN BASQUE ALIENS—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 1402) for the relief of certain Basque aliens, which was referred to the Committee on Immigration and ordered to be printed.

INVESTIGATION OF SECURITIES AND EXCHANGE COMMISSION AND POST OFFICE DEPARTMENT

Mr. McCARRAN submitted the following resolution (S. Res. 112), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the authority conferred by Senate Resolution 35, Seventy-ninth Congress, agreed to February 26, 1945 (relating to an investigation of the Securities and Exchange Commission and the Post Office Department) is hereby continued during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress until January 1, 1946; and that the limit of expenditures under such resolution is hereby increased by \$5,000.

POLAND'S EXCLUSION FROM SAN FRANCISCO CONFERENCE ON INTERNATIONAL ORGANIZATION

Mr. WHERRY. Mr. President, my State has a large Polish population, and I receive many communications from constituents, as well as from citizens of other States, asking why Poland has not been invited to sit in at the United Nations Conference in San Francisco.

As one of the representatives in the Senate of the citizens of Polish descent in Nebraska, I have taken the liberty of

addressing a letter to the Secretary of State, Hon. Edward R. Stettinius, which I feel expresses their thought relative to the place which Poland should have in the United Nations Conference at San Francisco. I ask unanimous consent to have printed in the RECORD at this point the letter addressed by me to the Secretary of State.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 31, 1945.

The Honorable EDWARD R. STETTINIUS,
The Secretary of State,
State Department, Washington, D. C.

DEAR MR. SECRETARY: I am deeply disturbed lest the forthcoming United Nations Conference on International Organization at San Francisco becomes a medium for the projection of the present wartime mentality of the victor nations into the peace. Personally, I find little reassurance in the invitations to this conference that were issued on March 5, to 39 nations, invitations which were based on a condition that no nations are to be permitted participation in these momentous decisions until they have proved themselves peace loving by issuing a declaration of war against the Axis. To me it is an ill omen that such truly peace-loving nations as Eire, Iceland, Sweden, and Switzerland are deliberately excluded from this conference.

But, Mr. Secretary, even were I to grant the necessity for such arbitrary action on the part of the great victor powers toward small neutral nations, I would still find it impossible to be reconciled to Poland's exclusion. What of Poland, Mr. Secretary? Why is Poland not invited? May I hasten to assure you that in my humble opinion the only answer to this question which will serve to quiet the rising fears in the minds of my constituents must be an answer entirely free of evasion. A continued refusal on the part of our Government to be frank with the American people on this matter will be one of the surest ways of sabotaging America's participation in any future international organization.

It is becoming perfectly obvious to every reasonable person that the question of Poland is no longer a matter of boundaries. The Curzon line was nothing but a temporary makeshift to facilitate armistice discussions following the last war and it has been completely ignored ever since the Treaty of Riga in 1920 between Poland and Russia, to which Russia gave her full and unqualified assent. The Polish question is not alone territorial. For hundreds of years the Polish Nation has undergone territorial expansion and contraction imposed on her by her more powerful neighbors.

The Polish question is not only a matter of satisfying minorities, for no greater absurdity could exist than that Russia should be the only multinational state permitted to exist, and such matters could only be honorable and justly adjusted through free plebiscites held under the auspices of an international commission.

The question of Poland is not a question of security for Russia. The Big Three have already agreed upon the permanent demobilization and disarmament of Germany, and the other nations of Europe are to have their security guaranteed through the new international organization which is to be formed at San Francisco. The question of Poland is not a question of compensation, for two wrongs never yet made a right. Is not talk about compensating Poland in the west for her losses in the east nothing but a blind to cover the doubly outrageous fact that such a compensation would force Poland to bite off a territory and population which she could

not possibly digest and leave her even more vulnerable to the violent intervention of self-appointed protectors?

Certainly the Polish question is not a question of constitutional versus émigré governments, for as of today the Polish Government in exile is the only legal Polish Government in existence. This is the Government which Russia herself recognized on July 30, 1941, when she declared the German-Soviet treaty of 1939 null and void. It is significant that Russia did not withdraw this recognition until the tide of battle had turned in her favor, and that today Russia is the only nation that does not recognize the Polish Government in exile as the legitimate Polish Government.

It seems melancholy, indeed, that after more than 5 years of fighting this tragic war which originated in fulfillment of pledges given to Poland on March 31, April 6, and August 25, 1939, by England, we should find ourselves debating the issue of whether Poland is to be an independent state at all. It becomes increasingly clear to me and to a rapidly growing number of the American people that this has become a crucial issue in this war.

As such, Mr. Secretary, Poland herself has become a symbol—a symbol of the fate that seems to be in store for many of the small nations of the earth—a symbol of the kind of peace that is to issue from this war. If Poland is excluded from the San Francisco Conference, upon what moral principle can the Big Three possibly lay the foundations of any future international organization? What of Finland, Latvia, Estonia, Lithuania, Rumania, Yugoslavia, Czechoslovakia, Hungary, Bulgaria, Greece, Albania, Austria, Turkey, Iraq?

The recent news of the obstructionist tactics of the Lublin Committee which has vetoed about every name on the list of 50 or 60 persons of eminence in Poland, which the Yalta Commission now sitting in Moscow has suggested as possible candidates for a new Polish Provisional Government, has only intensified my concern for the future of the Polish state. Is it not true, Mr. Secretary, that this Moscow-spawned Lublin Committee includes 9 Communists? Is it not also true that the continued conflict between the terroristic Lublin regime and the underground which takes its orders from London is breeding a violent civil war in Poland at this very moment?

Whatever may be the answers to these questions, Mr. Secretary, is it not time to be told the truth and the whole truth about the Polish situation? Have not the American people this right? Is this not your plain duty? Is it not time the American people were warned of the deadly nature of the compromises which are now being urged upon them by pointing out that in the case of Poland, what the mightiest armies of all time have been unable to effect, namely, the destruction of the Polish state, now threatens to be accomplished through compromise?

Mr. Secretary, the American people, their representatives in Congress, and I, as an individual, anxiously await answers to the following questions because we want to assure you we are all united in a desire to support America's participation in the genuinely democratic international organization founded upon the principles of justice:

1. Why must we refuse an invitation to Poland to the San Francisco Conference?

2. Is Russia truly intent on rebuilding a peaceful world? If so, why does she stand in the path of Poland's participation in the San Francisco Conference?

3. Will not such an act pave the way for the dissolution of a Polish state?

4. Taking Poland as a symbol, what will happen to eastern Europe and the Baltic countries?

5. Asking for myself, do you expect me as a Senator or as an individual to support any international organization that excludes Poland as an independent state?

If we are to perfect and participate in an international organization which we hope will be based upon the principles of Christianity and justice, it is of great importance and it is imperative that we have your answers to these questions now. Millions of Americans are asking these same questions that are herein set forth, and because of that fact I am making this letter public. The same Americans who are interested in these questions will be interested in your replies, and for that reason I beg of you to likewise publicize your answers.

Sincerely,

KENNETH S. WHERRY.

IMPORTANCE OF PRINTING TO THE WAR EFFORT—ADDRESS BY A. E. GIEGENGACK

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an address entitled "The Importance of Printing to the War Effort," delivered by A. E. Giegengack, the Public Printer, before the Washington Club of Printing House Craftsmen, at Washington, D. C., on March 20, 1945, which appears in the Appendix.]

QUESTIONS ON VOTING PLAN UNANSWERED BY MR. STETTINIUS—ARTICLE FROM WASHINGTON EVENING STAR

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "Stettinius Refused To Answer 33 Questions on Voting Plan," published in the Washington Evening Star of March 31, 1945, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that Hon. JERE COOPER, a Representative from the State of Tennessee, had been elected Speaker pro tempore during the absence of the Speaker.

ENROLLED BILL SIGNED

The message announced that the Speaker pro tempore had affixed his signature to the enrolled bill (S. 411) for the relief of Mrs. Mae F. Sutton, and it was signed by the Vice President.

THE FOOD SHORTAGE—STORAGE OF FOOD

Mr. WHERRY. Mr. President, among the hundreds of letters I have been receiving relative to the food shortage in the country, I recently received from Mr. C. W. Labatt, of the Labatt Wholesale Grocery Co., San Antonio, Tex., letters dated, respectively, March 15, 1945, March 22, 1945, and March 26, 1945, and enclosures consisting of war food sales listings.

The letters and enclosures present a new angle relative to the food situation in this country, namely, the dead storage of food in the United States. Because the conference report on the manpower bill is under consideration by the Senate I shall not detain the Senate by a statement of facts and figures, but I ask at this point to have the letters and the enclosures inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the letters and enclosures were ordered to be printed in the RECORD, as follows:

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 26, 1945.
Hon. KENNETH S. WHERRY,
United States Senate,
Washington, D. C.

DEAR SIR: Your letter of March 20 just received. I have no objection to your placing my letter of March 15, 1945, also letter of March 22, 1945, in the CONGRESSIONAL RECORD, and hope that this will assist in some measure in relieving the acute civilian food situation by having the Government release vast quantities of foods they might now have in their warehouses instead of keeping them until they get out of condition, doing no one any good.

Yours truly,

T. W. LABATT.

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 22, 1945.
Senator WHERRY
Nebraska Senator, Senate,
Washington, D. C.

DEAR SENATOR: Referring further to my letter of March 15, which I assume that you received, I enclose herewith another offering of the War Food Administration on what they term "surplus merchandise," but which in effect is spoiled merchandise. They are offering, as you notice, 100,000 cases of canned evaporated milk for industrial purposes only. In other words, a baker can buy this and bake bread with it, but they prohibit the merchant buying it and selling it to the civilian trade. What difference there is in consuming this milk in bread and consuming it otherwise is food for thought.

We have been on an allotment of approximately 25 percent of our normal requirements of canned evaporated milk. Mothers give this canned evaporated milk to their babies and there is not enough in stocks of the merchants to supply the demand, and yet hundreds of thousands of cases are getting out of condition, or, in other words, are spoiling in the storages of the Government.

I don't know whether you want me to send you this kind of information or not, but it seems that you are interested in the food situation, and it does seem that whenever an investigation of this kind is started someone throws a monkey wrench in the machinery and it stops with a jolt.

Yours truly,

T. W. LABATT.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 21, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

Dehydrated sweet potatoes: Approximately 15,378 pounds, unfit for human consumption. These are being offered under announcement Awd-23 to manufacturers of animal feed, distillers, and other industrial users. Stored at Dallas Bonded Warehouse, Dallas, Tex., and packed two 5-gallon lacquered cans per case with an average net weight of 17 pounds per can, the potatoes are offered on an "as is, where is" without recourse basis with bids solicited on the entire lot. Bids close at 12 noon March 29, 1945.

From Washington, D. C., office. Sales Branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Off-condition evaporated milk: Approximately 100,000 cases, packed 48 14½-ounce cans per case, being offered under announcement Awd-357 to manufacturers for industrial purposes only. The milk is stored in various warehouses, principally in the Northeast. Bids considered on offers for entire lots only and must be on the basis of price per case at indicated location. Offers

to purchase must be submitted to and received by the Contracts and Services Division, Sales Branch, Office of Supply, C. C. C., W. F. A., Washington 25, D. C., not later than 5 p. m. (e. w. t.) April 6, 1945.

Copies of this announcement and the list of lots being offered may be obtained from the Dallas Office, 425 Wilson Building. This sale is being handled by Brian T. Cunningham, Sales Branch, Washington. Telephone Republic 4142, extension 4226.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 15, 1945.
Senator WHERRY,
Senator from Nebraska,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: It is rather interesting to note that the Senate is seeking an answer to the shortage of food, trying to get an answer to the question, "What happened to America's food?" If you will go over the records of the Surplus Property Division for the past several months and find out exactly what they are offering for sale, I believe you will find that this is largely an answer to most of the food shortage. They purchased various quantities of foodstuffs and it finally found its way to what they term "dead storage." This is held an indeterminate length of time, when, as we understand it, they appoint a board of survey to condemn this merchandise for Army or Navy use. Then the Surplus Properties Division advertises the merchandise to the civilians.

This happened to millions of pounds of shortening, which is a cooking fat, which was offered for making soap; many thousands of pounds of raisins which were kept in storage until they became infested with worms, then they were offered for making wine; many cases of sauerkraut which was held and finally was sold and the Surplus Properties Division allowed 80 percent for spoilage. If this merchandise had been inspected from time to time, it could have been disposed of before it became spoiled or infested with vermin. No doubt the evaporated fruits were never placed in cold storage.

They have bought up enough No. 2 and No. 10 string beans to run this country for several years; and since these are not as popular with the Army probably as they should be, they are trying to unload same on the civilian trade.

The Government has commandeered all of the dried fruits of the country, with the exception of some prunes and raisins, and no doubt will keep them in storage until the worms infest same. There is a time limit upon all foods. You cannot keep dried fruits from 1941 pack until 1945, nor can you keep any canned fruits, canned vegetables, dried beans, or shortening an indeterminate length of time. If there was a survey made by your committee as to the amount of food that is in what they term "dead storage" and you find out how long this merchandise has been

resting there, you would no doubt find what happened to America's food, and you would also no doubt find that most of this merchandise is out of condition and unfit for human consumption.

We enclose herewith a list of offerings from the War Food Administration. They advise that they first submit these offerings to the original packer so that he can pass on the merchandise as being in first-class condition, then this original packer submits it to their customers, such as ourselves, designated as wholesale grocers. Evidently none of this merchandise has been in such condition that the original processors wish to take it over and dispose of it, as we have never as yet had a single offering from an original packer for any of the merchandise that the Government has put on sale. This would indicate to us that the goods have been held in storage such a length of time that they are not in first-class condition, and we would think that the pure-food authorities would step in on a proposition of this kind and not permit it to be sold.

Yours very truly,

LADATT WHOLESALE GROCERY CO.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., February 15, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Latham White, W. F. A., 425 Wilson Building, Dallas, Tex.:

None.

From Washington, D. C., Office Sales Branch, Office of Supply, (C. C. C.), W. F. A., Washington 25, D. C.:

Canned green beans: To all green bean canners, established food distributors, and State purchasing agents 126,648 cases of 1942-43 pack. This is the balance of a larger quantity previously offered for sale to both original and competitive canners.

These are being offered at established prices, f. o. b. present location. A reconditioning allowance, not to exceed 10 cents per dozen on No. 2 cans and 15 cents per dozen on No. 2½ cans, or 45 cents per dozen on No. 10 cans, will be allowed if labor or materials are necessary to recondition packages or containers, including relabeling. An itemized claim for such allowances must be submitted to W. F. A. within 60 days from date of delivery.

Offers to buy should be for an entire lot and will be acted upon in order of receipt, subject to confirmation by wire. All offers to buy must be received by 5 p. m. (e. w. t.) March 2, 1945, and should be addressed to Sales Branch, Office of Supply, W. F. A., Washington 25, D. C.

This sale is being handled by Thomas R. Mylett, same address, telephone Republic 4142, extension 4956.

Attached is a list of the beans which are offered for sale.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
COMMODITY CREDIT CORPORATION,
OFFICE OF SUPPLY,
Dallas, Tex., February 21, 1945.

GENTLEMEN: The War Food Administration is offering for sale to established food distributors and others approximately 126,648 cases of 1942-43 pack canned green beans.

Attached is a list of various lots showing the year of the pack, the variety, grade, original packer, present location, and the f. o. b. present location price. This price is subject to 1½ percent discount for cash.

Offers to buy should be for an entire lot, and will be acted upon in order of receipt, subject to confirmation by wire. All offers to buy must be received in Washington by 5 p. m. (e. w. t.) March 2, 1945, and should be addressed to Sales Branch, Office of Supply, W. F. A., Washington 25, D. C.

Very truly yours,

LATHAM WHITE,
Acting Chief, Procurement and Price Support.

Quantity	Year	Variety	Sieve, grade	Original packer	Location	Price per dozen
1,552 cases, 24/2	1942	Cut flat	Ungraded extra standard	Bellevue Canning Co., Bellevue, Fla.	Salisbury, Md.	\$1.27
850 cases, 24/2	1942	Cut round	4 and 5 standard	Springdale Canning Co., Springdale, Ark.	Memphis, Tenn.	.98
1,623 cases, 6/10	1943	do.	2 and 3 and 4 extra standard	E. J. Ritter Co., Bridgeton, N. J.	Richmond, Va.	6.35
1,996 cases, 6/10	1943	do.	2 and 3 and 4 standard	do.	do.	6.10
1,159 cases, 6/10	1942	do.	Ungraded standard	Bentonville Canning Co., Bentonville, Ark.	Louisville, Ky.	4.75
2,030 cases, 24/2	1942	do.	4 and 5 and 6 standard	Bonnie Brae Packing Co., Pennellville, N. Y.	Philadelphia, Pa.	1.22
2,039 cases, 24/2	1942	do.	4 and 5 standard	do.	do.	1.24
2,033 cases, 24/2	1942	do.	3 and 4 and 5 standard	do.	do.	1.26
5,000 cases, 24/2	1942	Cut flat	Ungraded, standard	American Stores Co., Hurlock, Md.	Preston, Md.	1.07½
3,552 cases, 6/10	1942	do.	2 and 3 and 4 extra standard	Apte Bros. Canning Co., Tampa, Fla.	Houston, Tex.	7.01
1,010 cases, 24/2	1942	Cut round	2 to 5 standard	Apte Bros. Canning Co., Hamilton, Ga.	Richmond, Va.	1.09
2,085 cases, 24/2	1942	do.	4 and 5 standard	Canner's Inc., Springdale, Ark.	Memphis, Tenn.	1.00
2,156 cases, 24/2	1942	do.	do.	Gravette Canning Co., Gravette, Ark.	do.	1.00
1,639 cases, 24/2	1943	do.	Ungraded standard	Adel Canning & Pickling, Adel, Ga.	Salisbury, Md.	1.07½
1,638 cases, 24/2	1943	do.	do.	do.	do.	1.07½
10,334 cases, 6/10	1943	do.	3 and 4 and 5 and 6 extra standard	Land of the Sky Mutual Association, Waynesville, N. C.	Mount Airy, Md.	5.68
1,630 cases, 24/2	1942	do.	Ungraded extra standard	Valley Canning Co., Canutillo, Tex.	Houston, Tex.	1.09
1,000 cases, 24/2	1942	do.	4 and 5 extra standard	Bentonville Canning Co., Bentonville, Ark.	Louisville, Ky.	1.09
1,927 cases, 24/2	1943	Cut flat	2 and 3 and 4 extra standard	W. H. Roberts Co., Baltimore, Md.	Baltimore, Md.	1.27½
524 cases, 6/10	1942	Cut round	4 and 5 standard	Evangeline Pepper & Food, Martinsville, La.	Memphis, Tenn.	5.60
5,675 cases, 24/2	1942	do.	do.	do.	do.	1.00
1,650 cases, 24/2	1942	do.	4 and 5 extra standard	do.	do.	1.12½
1,473 cases, 24/2½	1942	do.	Ungraded extra standard	Prentiss Food Products Co., Prentiss, N. C.	Salisbury, Md.	1.47
2,943 cases, 24/2	1942	Cut	2 and 3 and 4 standard	Delta Canning Co., Raymondville, Tex.	Houston, Tex.	1.01
1,000 cases, 24/2	1942	do.	Ungraded extra standard	Quality Products, Inc., La Feria, Tex.	do.	1.04
7,747 cases, 6/10	1942	do.	2 and 3 and 4 standard	Harlingen Canning Co., Harlingen, Tex.	do.	6.00
802 cases, 6/10	1942	do.	2 and 3 and 4 extra standard	do.	do.	6.50
1,695 cases, 24/2	1943	do.	do.	Mission Foods, Inc., Mission, Tex.	do.	1.15
1,594 cases, 6/10	1943	Cut semi-round	Ungraded standard	Ridge Canning Co., Glassboro, Tenn.	Camden, N. J.	5.35
7,600 cases, 24/2	1942	Cut round	2 and 5 extra standard	Bush Bros. & Co., Dandridge, Tenn.	Roanoke, Va.	1.12½
2,182 cases, 24/2	1942	do.	Ungraded standard	Halstead Canning Co., Cortland, N. Y.	Waverly, N. Y.	1.22
2,182 cases, 24/2	1942	do.	3 and 4 standard	do.	do.	1.27
2,059 cases, 6/10	1942	do.	3 and 4 and 5 standard	Hartmann Canning Co., Macedon, N. Y.	Philadelphia, Pa.	6.50
5,554 cases, 6/10	1943	Cut flat	2 and 3 and 4 extra standard	W. H. Roberts Co., Baltimore, Md.	Baltimore, Md.	6.35
1,708 cases, 6/10	1943	Cut round	Ungraded standard	W. E. Robinson & Co., Belair, Md.	Harrisburg, Pa.	5.35
552 cases, 24/2½	1943	do.	4 and 5 and 6 extra standard	Land of the Sky Mutual Association, Waynesville, N. C.	Mount Airy, Md.	1.47
7,499 cases, 24/2	1942	do.	Ungraded standard	Cherokee Products Co., Haddock, Ga.	Savannah, Ga.	1.07½
4,099 cases, 24/2	1942	Cut	do.	do.	do.	1.07½
2,032 cases, 24/2	1942	do.	do.	Bikins Canning Co., Fayetteville, Ark.	St. Louis, Mo.	1.00
3,790 cases, 6/10	1942	do.	do.	Litteral Canning Co., Fayetteville, Ark.	do.	4.66
12,720 cases, 6/10	1942	Cut flat	do.	Mason Canning Co., Pocomoke City, Md.	Preston, Md.	5.35
315 cases, 6/10	1942	Cut	do.	H. J. McGrath Co., Baltimore, Md.	Washington, D. C.	5.35
1,235 cases, 6/10	1942	do.	do.	Gibbs & Co., Baltimore, Md.	do.	5.35
1,165 cases, 6/10	1942	do.	do.	W. H. Roberts, Baltimore, Md.	do.	5.35
1,200 cases, 6/10	1942	do.	do.	Lord-Mott Co., Inc., Baltimore, Md.	do.	5.35

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., February 27, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Latham White, W. F. A., 425 Wilson Building, Dallas, Tex.:

Evaporated milk: Still being offered to manufacturers for industrial use only, overage milk at \$2 per case in car lots and \$2.25 less than carload lots, delivered.

From Washington, D. C., office, sales branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Canned peas: To the original processors, approximately 20,724 cases from the 1942-43 pack. Processors' names and description of the peas shown below:

Number of cases	Packed	Grade	Original processor	Location	State processed
1,373	6/10	Extra Standard	Libby, McNeill & Libby, Chicago, Ill.	Wilmington, Del.	Washington
2,205	24/2	Extra Standard Sweet	Stokeley Bros. & Co., Indianapolis, Ind.	Baltimore, Md.	Tennessee
2,228	24/2	do.	do.	do.	Maryland
2,500	24/2	do.	Silver Creek Preserving Co., Silver Creek, N. Y.	Buffalo, N. Y.	New York
2,722	24/2	Extra Standard Alaska	Bentel Pickling & Canning Co., Bay City, Mich.	do.	Michigan
3,220	24/2	Standard Alaska	Fall Creek Canning Co., Pendleton, Ind.	Toledo, Ohio	Indiana
2,222	24/2	Extra Standard Sweet	Marshall Canning Co., Marshalltown, Iowa	Pittsburgh, Pa.	Iowa
1,922	6/10	Fancy Sweet	do.	do.	Do.
1,932	6/10	Extra Standard Sweet	do.	do.	Do.

The original processors have until 5 p. m. (eastern war time), March 12, 1945, to submit offers.

This sale is being handled by Mr. Fenton Albright of the same office.

Roller dried whole milk: To the original processors, approximately 167,360 pounds processed by and being offered to Dairymen's League, New York, and 50,000 pounds Borden & Co., New York.

They will be given until 5 p. m. (eastern war time), March 6, 1945, to submit bids.

This sale is being handled by Mr. Brian T. Cunningham, of the same office.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

Baled loose cotton: Three hundred and thirty-seven bales totaling 161,205 pounds is being offered. This cotton is the accumulation of samples at the Bakersfield, Calif., and the Phoenix, Ariz., offices of the Cotton and Fiber Branch. Bids requested per pound by item numbers as follows:

Item 1: Two hundred and forty-eight bales, 123,848 pounds, stored at Magunden Gin Yard of Kern County Cotton Gin, Bakersfield, Calif.

Item 2: Eighty-one bales, 33,495 pounds, stored Western Compress Co., Phoenix, Ariz.

Item 3: Eight bales, 3,862 pounds, S. X. P. cotton, stored same as item 2.

Purchaser must assume accrued compress and storage charges.

Bids must be received by 5 p. m. (Pacific war time), March 8, 1945.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional

offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.)
Dallas 1, Tex., March 5, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

None.

From Washington, D. C., Office, Sales Branch, Office of Supply, C. C. C., W. F. A., Washington 25, D. C.:

Canned peas—14,647 cases from 1942 and 1943 pack. These are being offered to the original processors only. They will have until 5 p. m. (E. W. T.) March 19, 1945, to submit offers.

Peas are listed for sale as follows:

Cases	Year	Packed	Grade	Processor	Stored	State processed
2,075	1942	24/2	Off Grade Alaska	Valders Canning Co., Valders, Wis.	East Liverpool, Ohio	Wisconsin
1,807	1943	24/2	Standard Alaska	Winnor Canning Co., Wauseon, Ohio	Buffalo, N. Y.	Ohio
1,805	1942	24/2	do.	do.	do.	Do.
2,185	1942	24/2	Standard Sweet	Ray A. Ricketts Co., Canon City, Colo.	Omaha, Nebr.	Colorado
1,025	1942	24/2	Extra Standard Sweet	Francis H. Liggett & Co., Oakfield, Wis.	Royersford, Pa.	Wisconsin
2,175	1942	24/2	Standard Alaska	John H. Thuma Co., Owosso, Mich.	Buffalo, N. Y.	Michigan
2,173	1942	24/2	do.	do.	do.	Do.
1,402	1943	6/10	Extra Standard Sweet	San Juan Island Cannery, Mount Vernon, Wash.	Royersford, Pa.	Washington

Grain, cereal products, beans, and peas: Off-condition odd lots totaling 31,673 bags located in various warehouses.

The items are listed for sale as follows:

Amount	Description	Location
Bags		
212	Dry Great Northern beans	Wapekoneta, Ohio.
4,189	do.	Charleston, S. C.
7,199	Dry pea beans	Detroit, Mich.
2,399	do.	Mount Clemens, Mich.
2,400	do.	Crosswell, Mich.
1,300	do.	Rochester, N. Y.
2,000	do.	Batavia, N. Y.
4,794	do.	Niagara Falls, N. Y.
1,900	Cranberry beans	Batavia, N. Y.
1,196	do.	Detroit, Mich.
800	do.	Voorheesville, N. Y.
800	Green split peas	Bronx, N. Y.
424	Dry Alaska peas	Wapekoneta, Ohio.
23	Rice	Little Rock, Ark.
574	Hard white wheat flour	Hutchinson, Kans.
1,463	Pinto beans	Toledo, Ohio.

Bids must reach Washington by 5 p. m. (E. W. T.), March 19, 1945. Further information and copies of announcement Awd-375, under which items are sold, may be obtained from Reed K. Pond, of the above office, or from any regional office.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 5, 1945.

W. F. A. FOOD SALES LISTINGS

In addition to the items announced for sale in FSL-D-13, dated March 5, 1945, the Washington Sales Branch, Office of Supply, is offering the following items:

Frozen pork cuts: A limited quantity is being made available to canners in the New York City trade area to enable them to fulfill their Government contracts for canned pork tushonka.

Dried raisins: Approximately 5,697 cans, 1942 crop raisins, being offered to the original packer. They are packed 36 15-ounce packages to the case and are stored in Norfolk, Va. One lot of 909 cases being offered

to Sun Maid Raisin Growers of Fresno, Calif., and two lots of 2,388 cases and 2,400 cases to Rosenberg Bros. & Co., of San Francisco, Calif. Packers have until 5 p. m. (E. W. T.) March 24, to purchase.

Plug tobacco: Approximately 504 1-pound units of Horseshoe Brand plug tobacco stored in Leavenworth, Kans. is being offered to Liggett & Myers Tobacco Co., the original vendor. This tobacco was turned over to the W. F. A. for sale by another Government agency. The original vendor has until 5 p. m. (E. W. T.) March 14, to purchase.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 8, 1945.

W. F. A. FOOD SALE'S LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest regional office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

Loose cotton, estimated to be 50,000 to 100,000 pounds net, this is an accumulation of samples at and stored in the Dallas Classing Office, cotton and Fiber Branch, 1104 South Ervay Street, Dallas. The loose is in sacks, and the purchaser must agree to remove all sacks within 10 days from date of acceptance and to return empty sacks with-

in 20 days. Purchaser must have cotton weighed at his expense and furnish weight certificates. Settlement will be on the net weight of the cotton. Bids close at 12 noon March 15, 1945.

Lanolin, 3 hundred-pound drums stored at Pine Bluff Arsenal, Ark. In good condition and in new steel drums. This is being offered on announcement awards 16, with bids closing at 12 noon March 15, 1945.

From Washington (D. C.) office, Sales Branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Canned peas, to original processors, approximately 18,073 cases of 1942 and 1943 pack. Peas are listed for sale as follows:

Cases	Year	Packed	Grade	Processor	Location
1,400	1943	6/10	Standard Sweet	Eddington Canning Co., Springville, Utah	St. Louis, Mo.
1,448	1943	6/10	do.	do.	Do.
2,270	1942	24/2	do.	Silver Creek Canning Co., Ripon, Wis.	Do.
1,891	1943	24/2	Extra Standard Sweet	Orleans County Canning Co., Barre Center, N. Y.	Albion, N. Y.
2,019	1943	24/2	Standard Sweet	Idaho Canning Co., Payette, Idaho	Omaha, Nebr.
8,985	1943	24/2	Extra Standard Sweet	Stokeley Bros., Inc., Frederic, Wis.	Eagle Harbor, N. Y.

Canners must submit offers to purchase to Sales Branch, O. S., by 5 p. m. (eastern war time), March 21.

Canned tomatoes: To original processors approximately 15,600 cases of standard grade from 1941, 1942, and 1943 packs. Tomatoes are listed for sale as follows:

Cases	Processor	Location
1,336	Ruby Canning Co., Ruby, S. C.	Belle Bluff, Va.
1,378	Allen Canning Co., Siloam Springs, Ark.	St. Louis, Mo.
10,600	Pratt Low Canning Co., Santa Clara, Calif.	Santa Clara, Calif.
1,882	Wharton Canning Co., Huntsville, Ark.	St. Louis, Mo.
1,000	Carrollton Canning Co., Carrollton, Ky.	New York, N. Y.

¹ These 1943 tomatoes packed 24/2½.

² These 1942 tomatoes packed 6/10.

³ These 1942 tomatoes packed 24/2.

⁴ These 1941 packed 24/2½.

Processors have until 5 p. m. (eastern war time), March 21, to order.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

Inedible frozen eggs: Three hundred and seventy-five 30-pound-net cans located 210 cans at Borden's, New York, N. Y.; 18 cans at Merchant's Refrigerating Co., New York, N. Y.; and 147 cans at seaboard, Jersey City, N. J. Bids close at 3 p. m. (eastern war time), March 16, 1945. Sale is handled by Arthur Klein, of above office.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office: H. O. Wands, W. F. A., 821 Market St., San Francisco, Calif.:

None.

Note.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

Mr. WHERRY. Mr. President, now that the letters are in the Record and the administration and all those who have to do with food can read them, I should like to ask four questions:

First. How much food is there in "dead storage" in this country?

Second. How long has this food been in storage?

Third. How often is it inspected?

Fourth. Why is it permitted to spoil?

I should like to have those who are responsible, if they will, write me letters in reply, and then I shall put them in the Record because if the charges made in the letters are true as to San Antonio,

they are true of scores of other places throughout the country, and the Senatorial committee should certainly make an exhaustive investigation into the charges.

RESIGNATION OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

Mr. MAYBANK. Mr. President, I ask unanimous consent to have the clerk read correspondence between the President of the United States and Mr. Justice Byrnes, the Director of War Mobilization and Reconversion, and when the letters shall have been read I should like to make a comment.

The VICE PRESIDENT. Without objection, the clerk will read as requested. The Chief Clerk read as follows:

The President has received the following letter of resignation from the Honorable James F. Byrnes, Director of the Office of War Mobilization and Reconversion:

MARCH 24, 1945.

THE PRESIDENT.

The White House, Washington, D. C.

DEAR MR. PRESIDENT: Last June when the Congress was considering the bill to expand the Office of War Mobilization into the Office of War Mobilization and Reconversion, I advised the committees of both Houses that I would not remain to administer the reconversion program.

In November when I again advised you of my reason for not wishing to remain, we agreed that I should accept the appointment as Director of the newly created Office with the understanding that I would continue only until VE-day. This announcement was made by you. I remind you of this only because I hope that having remained for 9 months after expressing my desire to leave, you will view with sympathy what I now feel obliged to write.

I think VE-day is not far distant. My knowledge of the nature of the work now confronting the Office causes me to conclude I should not remain longer. The Office has already embarked upon the development of a program of reconversion. I have organized committees composed of representatives of the various agencies which have been at work for some time developing the program. In the report I shall submit to you next week that program will be outlined.

I am convinced that the person who is to direct the reconversion program should take charge of this Office now. He would then have an opportunity to familiarize himself with the plans we have made and can modify in such manner as he deems wise the plans he will be called upon to administer.

Therefore, I tender my resignation to become effective April 2. I fix that date because the law requires a report to be filed with you and with the Congress on April 1, and I think it my duty to file that report.

I sincerely appreciate the opportunity you gave me to participate in the war effort.

With assurances of my esteem, I am,
Sincerely yours,

JAMES F. BYRNES.

In a letter accepting Mr. Byrnes' resignation, the President wrote Justice Byrnes as follows:

MARCH 31, 1945.

HON. JAMES F. BYRNES,

Director, Office of War Mobilization and Reconversion, Washington, D. C.

DEAR JIMMIE: I have read without surprise but nevertheless with a sense of heartfelt regret your letter of March 24. Of course, I am all too familiar with your desire to retire from public life, expressed publicly before both Houses of the Congress as long ago as June of last year and reiterated to me personally some months later.

Having no other alternative, I accept your resignation as Director of the Office of War Mobilization and Reconversion. I ask that you make your resignation effective the date your successor qualifies.

It is not pleasant to contemplate the severance of a relationship which has been as delightful to me personally as it has been of advantage to the national interest which you have served with such singular devotion and fidelity. I shall always remember the many burdens which you have taken from my shoulders. The Nation has been fortunate in these times of stress and strain that we could fall back on the counsel you were able to give us out of an experience gained in the discharge of so many positions of the highest trust and responsibility. As legislator, as jurist sitting on the highest Court in the land, and as man of affairs, you had a long preparation for the service which you have given your country in these war years.

I know that with characteristic vision you have already glimpsed the essential problems of reconversion. Although you go, I shall like to think that at any time in the future I can avail myself of your wisdom, knowledge, and understanding.

With every good wish,

Always sincerely,

FRANKLIN D. ROOSEVELT.

Mr. BARKLEY. Mr. President, will the Senator from South Carolina yield to me?

Mr. MAYBANK. I yield.

Mr. BARKLEY. Mr. President, I feel that I speak the unanimous sentiments of the Senate and largely of the country when I express my deep regret at the departure of Justice Byrnes from the position of Director of War Mobilization and Reconversion and, so far as we know, from public life.

Many of us here have known Mr. Byrnes for a generation. When I entered the House of Representatives in

March 1913 he was a Member and had been for 2 years. I served there with him many years; I served here with him many years, and have been in close contact with him since he resigned from the Senate to become Justice of the Supreme Court of the United States, and in even closer contact during his incumbency of the various civilian positions he has held under the war program.

I know of no one whose departure from public service would create a greater vacuum in that service than that of Justice Byrnes. He is a man of outstanding ability and unimpeachable character. He has a keen insight into the problems and the details of Government service, because during most of the years when he was in the House of Representatives he was a member of the Committee on Appropriations, and I think during most, if not all, his service in the Senate he was a member of our Committee on Appropriations, membership in which brings one into intimate contact with all the departments and bureaus and details of the Government of the United States. Such knowledge, acquired during years of experience, has not only been of value to Justice Byrnes, but has been of benefit to the country, and it is with the greatest regret that I take note of his departure from public life now. We all wish for him the greatest success and happiness in his future endeavors, whatever they may be.

Mr. President, our disappointment at the resignation and departure of Justice Byrnes is assuaged, however, by the appointment which has come to the Senate today of his successor in the person of Judge Fred M. Vinson. Judge Vinson served in the House of Representatives many years, and became one of the outstanding members of the Committee on Ways and Means. He not only became acquainted with all the details of government, but really became almost a tax expert. He was one of the most industrious and hard-working of the members of the Committee on Ways and Means, and contributed very largely to the solution of some of the tax problems.

Like Justice Byrnes, Mr. Vinson was appointed to the bench, but resigned, at the request of the President, to take civilian employment under the war program, and recently was moved to the office of Administrator of the lending agencies, and now is transferred to the position which is being vacated by Justice Byrnes.

I feel confident in saying that Judge Vinson will carry on the ideals of his new office, he will serve in that position with an understanding of the departments with which he will have to deal, and of the problems which will face him, and all of us, with regard to reconversion and reorganization of our economy for the peace days, no less than during the concluding days of the war.

I think it is fortunate, inasmuch as Justice Byrnes desired to retire, that the President has seen fit to appoint Judge Vinson as his successor.

Mr. WHITE. Mr. President, I wish to add a brief word to the remarks of the majority leader.

Like the Senator from Kentucky, I have had long association with Justice Byrnes. I served with him in the other body of the Congress, and I was privileged to serve with him in the Senate. He brought to the performance of his public duties a rare tact, a legislative genius, and a character which earned him the respect and the warm regard of all those who were privileged to be associated with him.

I regret his departure from public life. He served throughout his legislative career with distinction to himself and with honor to his State, and he has made a great contribution to the public welfare in all the positions he has held. I join in expressing regret that he has seen fit to sever his connection with the public service.

Mr. MAYBANK. Mr. President, I merely wish to add to what the distinguished majority leader and the distinguished minority leader have said regarding the resignation of Justice Byrnes. As the senior Senator from South Carolina, it is a source of regret to me that he has resigned. Having been a close friend of his for so long a period, and knowing of his desire to retire last fall, I was quite pleased at that time when he determined to remain in public office, and during the months since he has rendered most valuable service to the President of the United States and to the leaders of our armed forces. As the President has said, I am certain that he will miss Justice Byrnes' guiding hand and that he regrets that Justice Byrnes will be near him no longer to take so much off his shoulders, as the President expressed it in his letter.

Mr. President, I am certain that Justice Byrnes' great service and devotion to the public demonstrated during the stress and strain of war will always be appreciated by the people of the United States.

Mr. McKELLAR. Mr. President, I am quite sure there is nothing I could say about Justice Byrnes which would add to what has already been so well said by other Senators preceding me. When I first became a Member of the House of Representatives, nearly 34 years ago, I found Mr. Byrnes a Member of the House from South Carolina. He was then one of the most genial, delightful, attractive, and diplomatic of men, and in all the years which have since passed he has retained all those fine and pleasing characteristics. I never knew a more lovable or delightful character than Mr. Byrnes. His personality was most engaging and always alluring. We did not always agree on public questions; in fact, we frequently differed, but never in all the time of our association did an unkind word pass between us or an unkind thought find lodgment with either of us against the other.

As a statesman, Justice Byrnes has been an unusual success. He had a brilliant career in the House of Representatives, as well as later in the Senate. He was similarly successful as an Associate Justice of the Supreme Court, and as a member of the President's official household I can well understand how the President came to regard him as a tower of strength. He is honest, able, learned,

courageous, manly, hard-working, versatile, and with a personality which cannot be excelled. He is really and truly a gentleman without fear and without reproach. These was perhaps no more personally popular Member of this body than he while he was here.

I can well understand how the President was inspired to write the beautiful letter he has issued, every word of which I endorse, from personal knowledge, from political association, and from the standpoint of one who has been long in the public service.

Mr. President, I could not let this occasion pass without saying that I join in all the beautiful things which have been said about Justice Byrnes by the Senators who have spoken. I wish Mr. Byrnes a continuance of his useful and splendid life in whatever field of work he undertakes; he deserves every good reward that may come to him. I have a deep sense of personal devotion to him.

Mr. DOWNEY. Mr. President, I rise to express my deep regret and concern because of Mr. Byrnes' resignation. His high integrity, intelligence, common sense, and judgment have been of the greatest value to our Nation in the critical circumstances which have surrounded it. Personally, I have always found Mr. Byrnes most courteous and effective in his conduct of public affairs; and for his help in the solution of many difficult war problems in California I am most grateful.

The resignation of Mr. Byrnes at this time is a profound loss to our country and to every citizen; and he should have from all of us our commendation, our gratitude, and our blessings.

The VICE PRESIDENT. The present occupant of the chair wishes to approve heartily the remarks, in tribute to James F. Byrnes, made by the majority leader [Mr. BARKLEY], the minority leader [Mr. WHITE], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. McKELLAR], and the Senator from California [Mr. DOWNEY].

PREFABRICATED HOUSES FOR ENGLAND, AND LUMBER SHORTAGE IN THE UNITED STATES

Mr. LANGER. Mr. President, I have received numerous letters from lumber companies in North Dakota, Minnesota, and Nebraska complaining about the lack of lumber, and particularly about the large amount of lumber which is going to be used to build prefabricated houses to be shipped to England, while the people in the United States are suffering from a lack of lumber. A letter which is typical is one received from the Robertson Lumber Co., of Minneapolis, Minn., and I wish to read it into the RECORD at this time:

MARCH 21, 1945.

HON. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: We feel that it is our duty to write you at this time in regard to lumber being manufactured in the United States.

As you probably know, most of the lumber yards have insufficient stocks to even take care of old buildings which have to be repaired in order that they do not depreciate to a point beyond repair.

We are told that 30,000 prefabricated homes are to be sent to England in the very near future, and that England wants 10 times that number of homes, and will pull all political strings to get them. How many prefabricated homes will be wanted and sent to other countries we are unable to tell you, but in looking at some figures we have here it looks like they talk about 750,000 such homes which are to be given to people in occupied areas.

We have absolutely no objections to the Army and Navy getting all the lumber necessary to win this war, even though our yards may be entirely out of lumber; but we do not feel that our forests should be depleted and the lumber taken away from citizens of the United States, who have already gone without sufficient lumber for 4 years to keep their old buildings in normal repair—without even mentioning lumber for new barns, granaries, hog houses, and so forth, which are badly needed on most farms.

From reports we have, the lumber dealers in Canada still have normal stocks in their lumber yards and the people of Canada apparently have been well taken care of for the past 3 or 4 years. The lumber dealer in the United States has had only a fraction of the lumber he has needed for several years, and when the United States furnishes lumber for the Army and Navy to win this war we feel that we have done more than our share without taking the lumber needed in this country and lend-leasing a large portion of it to other countries.

We hope that all Congressmen will watch this lend-leasing of lumber so that it is not taken away from the people of the United States, who will need it badly, and given to other countries.

Our company, operating yards in Minnesota and North Dakota, has had practically no shingles to sell for 3 years—

I want to repeat that, Mr. President—

Our company, operating yards in Minnesota and North Dakota, has had practically no shingles to sell for 3 years and only a very limited amount of lumber, even though all of our yards are located in the agricultural district of these two States. Farmers even now are begging us for lumber, and we are unable to purchase sufficient quantities to allow them to keep their buildings in only moderate repair.

Yours very truly,

THE ROBERTSON LUMBER CO.
By RAY MARCY.

P. S.—Have just received authentic information that 30,000,000 feet of flooring alone will be used in the construction of the 30,000 houses for England, as well as millions of board feet of other types of lumber.

Mr. President, I may say that last summer while going through my State I found that lumber was so scarce that the women on the farms did not have sufficient lumber to build chicken coops in order to take care of the chickens they were attempting to raise. The farmers could not secure shingles to place on their granaries to save the wheat they had stored there. I sincerely hope that under no circumstances will this country, under lend-lease or in any other manner, send enough lumber overseas or use enough lumber here to manufacture 750,000 prefabricated homes for England, or any other country, or all the other countries put together.

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two

Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. LANGER. Mr. President, I wish to return to the pending conference report. Before briefly summarizing what I said Friday upon the pending bill, I call the attention of the Senate to the fact that more millionnaires are being created by this war than were created by World War No. 1, and that, aside from raising the income-tax rates, nothing has been done about it by Congress. Enormous fortunes, some, of course, created by World War No. 1, still exist, and not only do they exist but, as I stated in my previous remarks, the vast aggregations of wealth have grown larger and are still growing larger daily. Yet today, Mr. President, Senators rise upon this floor and solemnly ask for the enactment of a law which will permit one man to enslave every individual in America, while property continues to be exempt, and men and women hold up their hands in horror at the idea of levying a capital tax to reduce the debt of the United States.

Of course, everyone knows that the more the debt is reduced the less of it the soldier boys will have to pay when they return home.

There is no more need for the enactment of the pending measure, in my opinion, Mr. President, than there is for a wagon to have five wheels. I conclusively proved on Friday, by the statement of General Marshall himself, that labor has broken all records for production in 1943. I proved by the records of the War Production Board that the railroad men, with a 24-percent decrease in manpower, worked so hard voluntarily that the railroads made a profit of more than \$7,000,000,000, which is nearly half a billion dollars more than they ever made before in the history of the United States, their top year being 1929. I proved by the records of the Department of Agriculture that the farmers voluntarily—not by slave labor, but voluntarily—produced more food and more grain than has ever been produced before in a single year in the history of the world.

So what possible reason can there be for the enactment of this measure, unless the reason be that there are those who, already taking delight in ordering about the people of this country even to the minutest details of their lives, are grasping and grasping and grasping for more power and more power and still more power, so that they may tell not only the civilians of America what to do but may even regulate the lives of the soldiers who return home to this country.

I should like to have any Senator who is in favor of the bill answer the charge made, not by some inconsequential person, but by Lindsay C. Warren, Comptroller General. His statement is that there has been more than \$50,000,000,000 of graft. I should like to ask any Senator who seeks to have this measure passed to refute the figures of the War Production Board that labor has done an outstanding job voluntarily. I should like to have any Senator deny that the

railroad men have made an outstanding record in 1943. They did so voluntarily, Mr. President, and not through enslaved labor.

I conclusively proved on Friday by General Marshall's statement that labor had broken all records in production in 1943. I proved by the record of the coal miners, at a time when more than 75,000 of their sons had gone to war, that they had produced hundreds of thousands of tons of coal more than were ever produced in a single year in the history of the United States. Mr. President, that is their record, and it is a record in which every American can take pride.

While England and other countries have enslaved labor, this great democracy of ours has proved that in time of crisis men and women who own their own homes, who rule their own country, who select their own officials, who willingly sacrifice their own blood upon the field of battle, who will not yield an iota in their loyalty and patriotism, are outwardly as efficient as, and work longer hours than, the people of any enslaved nation upon the face of the earth. Why should this kind of free people have any man tell them where their wives, sons, and daughters will have to work, or separate a father from his family by a distance of 500 miles, or say to a family, "Leave your farm in North Dakota and go out to farm in Oregon, California, or Texas." Mr. President, in reply to those who say that that will not be done, my unanswerable question is, "Why give any man the power to do it?"

As I said Friday, if we are going to draft the youth of the country who are fighting to protect the lives and property of the people of America, then we should also draft the property, the wealth that they are fighting to preserve. I stated then that there are 60 families that control the destiny of this country—60 families supported by 90 more that have so many billions of dollars that the very fact that they have it is a disgrace to this country. Why should 1 family control the mines of America, another the timber, and another any other natural resource? Almighty God gave the wealth for all the people—not to any 60 families. It is only necessary to recall the remarks of the elder Rockefeller, that he "got this property from God," to remind one of the old claim made by the kings and queens of centuries gone by that they ruled by divine right of kings and not by the will of the people. The sooner we wipe out that kind of thing in this country the better off we shall be. Personally, I hope that every king, queen, duke, count, prince, earl, and any person with any other title, as well as every house of royalty, will be wiped out by this war. About the only good thing we got out of World War No. 1 was that we got rid of many of that class of people. They are no good as a group, and they never will be any good. The idea that one of royal blood should not associate with a man engaged in trade or a farmer or laborer, has no place in the modern trend of the twentieth century. As a matter of fact, some of the royal families have intermarried so much that they are suffering from all sorts of diseases, and their blood is so rotten that a tradesman or a

farmer who has a son or daughter of marriageable age would be unwise, indeed, to permit him to get mixed up with a scrawny, spavined, stuttering, half-witted person who has nothing to commend him except his money and his alleged superiority of alleged breeding.

I have noticed that whenever a great invention takes place it generally comes from an Edison, a Ford, or a Fulton; and then after a man of the people has invented something new, within a short time it seems to be controlled by 1 of the 60 families, supported by 1 of the 90 families who in America rapidly have formed a caste comparable to that of royalty in some of the European countries.

I proposed by an amendment to wipe out this condition by levying a capital tax, as a result of which the boys returning from the war would have billions of dollars less to pay on the war debt. Such a tax would in very truth and fact, "drive the money changers out of the temple" and keep them out.

Mr. President, of course, I realize that not many Members of the Senate have that view; but if I am the only liberal Republican in the Senate, I am happy to speak for liberal Republicans all over this country who feel the way I do; and I venture the prediction that if this country is ever visited by a revolution, if ever that time comes—and God forbid that it should come—it will have been brought on by the lords of wealth whose appetites are insatiable, whose greed for money is apparently endless, and who in their desperate desire to have power over their fellow men will in time of war use the war to enslave freemen.

We are here, Mr. President, supposedly as the guardians of America; we are here to make this a better place for the rank and file of the people to live in—to have business in and to enjoy their lives in. Under our laws, we pledge ourselves to support the Constitution of this country; and I for one propose to tear down these enormous fortunes and use them in paying the war debt, because I am entirely convinced that not only is that for the best interest of America, but in truth and fact for the very best interests of the very men and women who hold these concentrated fortunes. Inasmuch as the Senate rejected my amendment to make this possible, and has refused to go on with me in this amendment, I, of course, will vote against this measure, secure in the knowledge that I am right and that Senators who disagree with me are entitled to have me respect their opinions as I expect them to respect mine.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks portions of a speech on bloated fortunes, delivered by the late Senator Huey Long when he was speaking on this floor on the 4th day of April 1932, 13 years ago, when he used words almost identical with some of the things which I have said.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AMERICA'S CRISIS

Why, if this Congress adjourns and does not provide a law for the effective starting of a redistribution of wealth in the United

States you need not be worried about the amount of deficit that there is going to be in the National Treasury. If we adjourn here with this tax bill before us, with a bill passed as a result of it or with this bill passed, without providing a means for the redistribution of wealth in the United States today, and allow this snowball to go downhill for 2 or 3 more years as it is now, and allow this panic to be exploited as it is now being exploited to concentrate every business enterprise in this country, you do not need to worry about the Federal Government nor the Budget of the Federal Government. You will have a problem before you that is a great deal bigger than any problem of the Budget of the Federal Government.

I have letters which I have received today, which I intended to read to the Senate. One man, a peaceable citizen, has undertaken to make a living as long as he could, and finally went into a business prohibited by law because it was the only thing out of which he could make a living for his wife and children. He is now in the Federal penitentiary. Another letter is from a widow with a 19-year-old son that she is undertaking to send to college, living in a college town; and he cannot continue his work in the university because she cannot find the funds even to buy the books. Yet we are sitting here talking about balancing the Budget.

THE UNEBLESSED COALITION

Who is thinking about those people? Who is thinking about this condition? Who is doing anything about it? Where is this bipartisan conference? I want to find it and write it a letter. Has it been blessed as the House conference was blessed? Have Rockefeller and Morgan and Baruch sent in their ill-fated recommendations and demands that were so effective in other administrations? Have they been sent in now? Is that what we are going to see done in this tax bill that is coming out here?

We are told that there never was a ruling class that abdicated. A great deal of speculation is made over who is the leader and who are the party leaders of this Nation, who are the leaders of Congress. I have been here long enough to say that if I had any legislation in the United States Congress today, I would a whole lot rather know that it had the sanction and approval of Morgan and Rockefeller and Baruch than to know that it had the sanction and approval of every party leader in both Houses of Congress. They are here to fight the tax on the importation of oil. They are here to fight the tax on stock exchanges.

We have a cotton exchange and a stock exchange in the city of New Orleans, just as they have a stock exchange and a cotton exchange in the city of New York, and I am not afraid to tell you that there is not a more nefarious enterprise that ever operated on the face of the globe than the stock exchanges and cotton exchanges in the city of New York and in the city of New Orleans. They have lived for years out of the miseries and the slim profits that might have meant some convenience and comfort to the people of this country, and there is no tax on the living face of the globe that can be more justly and properly assessed than a tax on the stock exchange and a tax on the cotton exchange. I am not politically afraid for them to know that I have expressed exactly those sentiments on the floor of the Senate. It does not make any difference to me whether they like it or not.

Now, these men are fighting the inheritance tax and the surtax. The newspapers tell us that this is a great effort to soak the rich. Soak the rich—the "soak-the-rich campaign." It is no campaign to soak the rich, Mr. President. It is a campaign to save the rich. It is a campaign the success of which they will wish for when it is too late, if it falls, more than anyone else on

earth will wish for it—a campaign for surtaxes to insure a redistribution of wealth and of income, a campaign for inheritance taxes to insure a redistribution of wealth and of income.

IS WALL STREET ALONE TO HAVE THE COALITION?

Since we had a coalition of the Republican and Democratic leaders in the House and in the Senate that the House Members rebelled against, is it not possible that there can be some coalition of the Members of the United States Senate in the interest of the people of this country to raise these surtaxes and these inheritance taxes and to save these other forms of taxation that mean a prosperous America? Could there not be some anointed move from the Senate that would mean the protection of the people of this country?

Evidently we do not realize that there is a crisis. Apparently we do not. We do not have to go very far to find it out. Mr. Herbert Hoover, in his speech in Indianapolis the other day, said that we were now in the midst of the greatest crisis in the history of the world. If Mr. Hoover can be believed, neither disunion, rebellion, war, nor pestilence compares with the condition that faces the American people today. Mr. Hoover may not ever say this again. I do not think he will say it again. I think he had a rather unguarded moment, and probably his speech was not censored as it is going to be censored in the future. As campaign days draw closer the artist who can make words mean and not mean will no doubt interpolate these messages in such a way that they will offend but few, and benefit probably fewer. But Mr. Hoover went on to say that a different means of taxation had to be found for this country; that we had to find a means of taxation that would take the taxes off the small man. That is what Mr. Hoover said. I am going to read in a moment just exactly what he did say; that we had to formulate a tax policy that would take the taxes off the farmers and home owners of this country; and in the same speech—which evidently was not censored as most of them probably will be hereafter and probably have been heretofore—he went on and said that the remedy was by the distribution of wealth.

But now every power of the administration which can be brought from the White House is exerted against anything being done which means the distribution of wealth among the people of this country.

THE LIGHT OF AMERICA'S DREAM IS FADING

The great and grand dream of America that all men are created free and equal, endowed with the inalienable right of life and liberty and the pursuit of happiness—this great dream of America, this great light, and this great hope—has almost gone out of sight in this day and time, and everybody knows it; and there is a mere candle flicker here and yonder to take the place of what the great dream of America was supposed to be.

ANOTHER SLAVE OWNER

The people of this country have fought and have struggled, trying, by one process and the other, to bring about the change that would save the American country to the ideal and purposes of America. They are met with the Democratic Party at one time and the Republican Party at another time, and both of them at another time, and nothing can be squeezed through these party organizations that goes far enough to bring the American people to a condition where they have such a thing as a livable country. We swapped the tyrant 3,000 miles away for a handful of financial slave-owning overlords who make the tyrant of Great Britain seem mild.

Much talk is indulged in to the effect that the great fortunes of the United States are sacred, that they have been built up by the honest and individual initiative, that the funds were honorably acquired by men of

genius far-visited in thought. The fact that those fortunes have been acquired and that those who have built them for the financial masters have become impoverished is a sufficient proof that they have not been regularly and honorably acquired in this country.

Even if they had been that would not alter the case. I find that the Morgan and Rockefeller groups alone held, together, 341 directorships in 112 banks, railroad, insurance, and other corporations, and one of this group made an after-dinner speech in which he said that a newspaper report had asserted that 12 men in the United States controlled the business of the Nation, and in the same speech to this group he said, "And I am one of the 12 and you the balance, and this statement is correct."

Twelve men. If we only had that passing remark, which, by the way, was deleted from the newspaper report which finally went out, although we have plenty of authority that the statement was made; if we did not have other figures to show it, we probably might not pay so much attention to that passing remark.

You want to enforce the law, you want to balance the Budget? I tell you that if in any country I live in, despite every physical and intellectual effort I could put forth, I should see my children starving and my wife starving, its laws against robbing and against stealing and against bootlegging would not amount to any more to me than they would to any other man when it came to a matter of facing the time of starvation.

Whoever tries to guard the existence of these fortunes becomes a statesman of high repute. He is welcome in the party councils. Whoever undertakes to provide for the distribution of these fortunes is welcome in no council.

They pass laws under which people may be put in jail for utterances made in war times and other times, but you cannot stifle or keep from growing, as poverty and starvation and hunger increase in this country, the spirit of the American people, if there is going to be any spirit in America at all.

LET ALL ENJOY OUR WEALTH IF THE COUNTRY IS TO BE SAVED

Unless we provide for the redistribution of wealth in this country, the country is doomed; there is going to be no country left here very long. That may sound a little bit extravagant, but I tell you that we are not going to have this good little America here long if we do not take care to redistribute the wealth of this country.

Here is a report of the Federal Trade Commission published in 1926. On page 58 I find this:

"The foregoing table shows that about 1 percent of the estimated number of decedents owned about 59 percent of the estimated wealth, and that more than 80 percent was owned by about 13 percent of this number."

That is the very conservative and highly subsidized Federal Trade Commission, which said that 1 percent of the decedents owned 59 percent of the wealth. It had been previously estimated, as I read the other day from the report of the Industrial Relations Committee, just 10 years before that time, that 2 percent of the people owned 60 percent of the wealth, and in 10 years the cycle grew, so that from one Government report the estimate that 2 percent of the people owned 60 percent of the wealth, in 10 years had become 1 percent of the people owning 59 percent of the wealth of this country. That is how that condition grew.

I have here an editorial which appeared in the Saturday Evening Post at the time this first report was published. This editorial appeared on September 23, 1916, in the Saturday Evening Post under the heading, *Are We Rich or Poor?* I read from the editorial, which is just a column:

"The man who studies wealth in the United States from statistics only will get nowhere with the subjects, because all the statistics afford only an inconclusive suggestion. Along one statistical line"—

This is the Saturday Evening Post in 1916 before its owner began to come to Washington in a \$3,000,000 yacht. Says this editorial:

"Along one statistical line you can figure out a nation bustling with wealth; along another a bloated plutocracy comprising 1 percent of the population lording it over a starveling horde with only a thin margin of merely well-to-do in between."

That is from the Saturday Evening Post of September 23, 1916.

I saw an article in the *World's Work* for last month which gives the details of the Mellon fortune, and totals it up at seven billion nine hundred and ninety million four hundred and twenty-five thousand—that is enough without getting to the hundreds—seven billion nine hundred and ninety million. That is the Mellon fortune, with a footnote to the effect that it did not include two billion one hundred and sixty-six million his brother has. The Mellon fortune \$10,000,000,000, and everybody knows that the Mellon fortune does not compare with the Rockefeller fortune. Thirty-two fortunes of the Mellon size would take every dime of property America has in it today. Thirty-two men. No wonder 12 men were in absolute control of the United States.

WHO OWNS AMERICA?

I have here the statistics showing the concentration of American industries.

Iron ore: 50 to 75 percent owned by the United States Steel Corporation.

Steel: 40 percent of the mill capacity owned by the United States Steel Corporation.

Nickel: 90 percent owned by the International Nickel Co.

Aluminum: 100 percent owned by the Aluminum Trust.

Telephone: 80 percent owned by the American Telephone & Telegraph Co. It is more than that, as they would state if they understood the subsidizing contract which that company requires every little independent telephone company to sign in order to get long-distance connections. If that were stated, it would be found that the telephone industry in the United States is 100 percent in the hands of the American Telephone & Telegraph Co.

Telegraph: 75 percent in the Western Union.

Parlor car: Pullman Co., 100 percent monopoly.

Agricultural machinery: The International Harvester Co. has 50 percent.

Shoe machinery: The United Shoe Machinery Co. has a monopoly.

Sewing machines: The Singer Sewing Machine Co. controls that field.

Radio: The Radio Corporation, 100 percent.

Sugar: The American Sugar Refining Co., 100 percent.

Anthracite coal: Eight companies, 80 percent of the United States tonnage.

Sulfur: Two companies own the world's deposits.

Oil: To show how conservative this report is, it states that 33 percent of the oil is controlled by five companies, when, as a matter of fact, they own 105 percent, if you can get that much out of the total quantity of oil produced. That which they do not own they have absolute dominion over and manipulate the oil tariffs and the importations of the foreign group in such a manner that no independent man can stay in the oil business in this country today in competition with the Standard Oil Co.

Meat packing: Two companies, 50 percent.

Electrical equipment: Two companies, 50 percent.

Railroad rolling stock: Two companies, monopoly.

Chemicals: Three companies, monopoly.

Matches: Two companies, monopoly.

Rubber: Four companies, monopoly.

Moving pictures: Three companies, monopoly.

Aviation: Three companies, monopoly.

Electric power: Four groups, monopoly.

Insurance: Ten companies, 66 percent of the insurance in force.

Banking: 1 percent of the banks control 99 percent of the banking resources of the United States:

That is the concentration that has occurred in this country.

The statistics further show that only 2 percent of the people ever pay income taxes. Mr. Mellon points out that that is a grave condition; that the law has been miraculously at fault in failing to collect an income tax against a larger percentage of the people.

It is not the law that is at fault. That is not the trouble at all. It is the infernal fact that 98 percent of the people of the United States have nothing, rather than it being the fault of the fact that only 2 percent of them pay any income tax.

Mr. Mellon wants to broaden the tax, so he said in his statement. He has gone to Europe by this time—at least we hope so. Mr. Mellon said that he wants the law broadened so as to cover more than 2 percent. That means that he wants to go into the pockets of the little man living from hand to mouth on the bank of some creek or in some little cabin with 40 acres and a mule. That means that he wants to reach down lower into the lower strata and take from the starvation wages of that class of people so that he might relieve the upper crust from paying the burdens of government.

I have here the address by President Hoover delivered at Indianapolis. Here is what he said:

"Above all, schemes of public works which have no reproductive value would result in sheer waste. Public works would result in sheer waste."

"The remedy to economic depression is not waste but the creation and distribution of wealth."

"The creation and distribution of wealth." He said further that in this creation and distribution taxes have got to be lifted from the small man. Therefore, Mr. President, there is necessity that something must be done in this crisis for the benefit of the people of the country, as well as for the benefit of balancing the Budget.

OVER 2,000,000 EARN LESS THAN 504 PLUTOCRATS

I have the statistics here. Here is how the income is being distributed. In 1929 there were 504 supermillionaires at the top of the heap who had an aggregate net income of \$1,185,000,000. That is 504 people. These 504 persons could have purchased with their net income the entire wheat and cotton crops of 1930. In other words, there were 504 men who made more money in that year than all the wheat farmers and all the cotton farmers in this great land of democracy. Out of the 2 chief crops, 1,300,000 wheat farmers and 1,032,000 cotton farmers—2,300,000 farmers raising wheat and cotton—made less than those 504 men.

From the official statistics we find that \$538,664,137 was the net income of the 85 largest income taxpayers in 1929. The 421,000 workers in the clothing industry received in wages \$475,000,000. Those 85 men could have paid the entire wages of the clothing industry of the Nation and have had \$100,000,000 left. Yes; there has got to be relief from this condition.

Mr. Gompers was termed a Socialist when he said:

"Hundreds of thousands of our fellow men, through the ever-increasing extensions and

improvements in modern methods of production, are rendered superfluous. We must find employment for our wretched brothers and sisters by reducing hours of labor or we will be overwhelmed and destroyed."

That was his statement, but the statement that the country faced any such thing as destruction was heralded as a preposterous statement, but Mr. Hoover came back and clarified the matter. He did not disturb Mr. Gompers' ashes, because they are underneath the earth all alone. Mr. Hoover came back and went Mr. Gompers one better. He said this is "the greatest crisis the world has ever known."

I have here a newspaper article in the nature of an interview with the Senator from Michigan [Mr. Couzens]. I want to read a line from that. This was published in the St. Louis Post-Dispatch of May 27, 1931:

"Senator James Couzens (Michigan) does not believe the depression in this country is due to world depression."

And I do not either.

"Nor does he believe that our recovery depends upon world recovery."

Nor do I.

"He believes, and emphatically says, that American capitalists caused the American depression mainly by taking an exorbitant share of the earnings of American industry and that recovery can be accomplished only by securing the livelihoods and increasing the purchasing power of American workers."

ALL AGREED "NO SWOLLEN FORTUNES"

I have here an article appearing in the Saturday Evening Post on the question of the distribution of wealth of this country. Whenever fear comes around, as it did in 1919, there was a fear that bolshevism was going to overrun this country like it threatened to overrun Europe. Then we get such expressions as this. We cannot get them at any other time. Here was the Saturday Evening Post, the great conservative journal, saying this:

"We want prosperity in America, but not swollen fortunes."

That is the Saturday Evening Post saying that we do not want "swollen fortunes in America." Then it went on to say:

"We want big rewards for men who do big constructive things, and jail sentences for the big fellows who steal the fruits of their work and the savings of small investors."

They wanted to put Rockefeller and Morgan in jail, according to this editorial; but today the cry is, "Soak the rich," and the man who undertakes to levy a penny on the concentrated bloated fortunes in the hands of a few of them is considered an outlaw.

"There have been altogether too many mavericks loose on the range, sucking cows on which they have no claim. There would be no real railroad mess, no necessity for trying to pare down wages in basic industries—"

The same thing prevailed then that prevails now, the same condition practically, and the Saturday Evening Post said:

"There would be no real railroad mess, no necessity for trying to pare down wages in basic industries, if there had been no banker control and no flagrant watering of the stocks of these corporations."

That was the Saturday Evening Post in 1919. It said, "We want prosperity, but no swollen fortunes," and that the men who have made most of these swollen fortunes by impoverishing the labor of the country ought to be put in jail. We are not trying to put them in jail. We are trying to save them from committing physical suicide in this country and pulling the temple down with everybody else in it.

But we have a coalition. We have a coalition of the Democratic Party leaders and the Republican Party leaders. Yes; we have a coalition. Who are the anointed of this coalition of Democratic and Republican leaders that is going to eliminate everything that means protection of the common men in this country? Where is this coalition? Where

does it meet? With whom does it meet? Has it ever for once come out before the American people with anything except the statement that they have to hold the House in order? Will they come out with the same declaration that they have got to hold the Senate in order—not trying to do anything particularly, but only holding everything in order? The House is described as "being in rebellion" when it rebels against its leaders.

Is there going to be one coalition? Is that going to be the extent? Are there not men enough in the Senate of the United States who will see to it that there is a coalition for the people of the United States? Is there not some way there can be a coalition that takes into consideration the man with the house full of starving children, or has there got to be only one coalition to protect the banker control, which, it was said, as I have pointed out, ought to have been in the penitentiary 20 years ago? What is to be the coalition?

The pastor of Mr. John D. Rockefeller's church had something to say about it. I do not suppose he will ever say it again. They probably did not get to look over this speech of his in advance. If they had done so, it would possibly have been different. There would have been a different interpretation of it and they would have had more interpolations in it. Here is what Mr. Rockefeller's pastor said on December 28, 1930:

"See the picture of the world today—communism rising as a prodigious world power and all the capitalistic nations arming themselves to the teeth to fly at each other's throats and tear each other to pieces. * * * Capitalism is on trial. * * * Our whole capitalistic society is on trial."

I should say it is on trial—not the capitalistic system, but the lack of capital.

Then Mr. Rockefeller's pastor proceeded:

"First, within itself, for obviously there is something the matter with the operation of a system that over the western world leaves millions and millions of people out of work who want to work, and millions more in the sinister shadow of poverty."

There is bound to be something wrong with the system. Then he proceeds:

"Second, capitalism is on trial, with communism for its world competitor."

And it is.

"The verbal damning of communism now prevalently popular in the United States will get us nowhere. The decision between capitalism and communism hinges on one point: Can capitalism adjust itself to the new age?"

THE EXAMPLE OF MARIE ANTOINETTE

When the people of France cried for bread, Marie Antoinette said, "If they have no bread, let them eat cake." They reared back and took the head of the king and the queen. Today Marie Antoinette has been outdone 40 times over. The poor people have pleaded for jobs, for the right to work; they have pleaded for a living; they have pleaded for their homes; they have pleaded for clothes to wear; they have pleaded for food to eat. There are plenty of homes; there is ample food; there is everything that is needed for humanity; but instead of saying, "If you have not bread eat cake," the American people witness a so-called bipartisan agreement that under the claim of "balancing the Budget" reaches down and puts a tax upon people crying to this Government for relief.

Mr. John Dewey proceeds to say that there has got to be a redistribution.

Here is a quotation of the dean of the Harvard Graduate School of Business Administration, Wallace B. Donham:

"If we have not in our several countries the brains, ability, and the cooperative spirit necessary to cure such world-wide conditions as those in which we now find ourselves, then our mass production, our scientific progress, our control over nature may actually destroy civilization."

And that is what is going to happen. Machines are created making it possible to man-

ufacture more in an hour than used to be manufactured in a month; more is produced by the labor of one man than was formerly produced by the labor of a thousand men; fertilizers are available whereby an acre of land can be made to produce from two to three, or even four times what it formerly produced; various other inventions and scientific achievements which God has seen fit to disclose to man from time to time make their appearance; but instead of bringing prosperity, ease, and comfort, they have meant unemployment; they have meant idleness; they have meant starvation; they have meant pestilence; whereas they should have meant that hours of labor were shortened, that toll was decreased, that more people would be able to consume, that they would have time for pleasure, time for recreation—in fact, everything that could have been done by science and invention and wealth and progress in this country should have been shared among the people.

REFUNDING MILLIONS TO THE WEALTHY

Mr. President, the senior Senator from Arkansas, our Democratic leader, whom I respect very highly and whom I honor for the great service which he has done to this country, saw fit to join in the clamor for the reduction of wages. I maintain there is no need of reducing any wages. Anyone should have seen the trouble which was coming when former Senator James A. Reed, of Missouri, rose on this floor when the tax bill of 1926 was under consideration in the Senate and said that the Democratic Party had been betrayed by its leaders. I thought that statement was a bit beyond the proper or necessary limit at the time; but the surtax was manipulated downward and the drive went on.

The coalition between the progressive Senators and the Democrats managed to keep the surtaxes not where they should have been, but nearer where they should have been than otherwise would have been the case. However, all of a sudden, the famous coalition occurred and the Duke's Mixture amendment went through here. It might have done North Carolina some good; it might have done some good to some college or colleges in North Carolina, but it was a means by which the Treasury paid out millions and millions and multiplied millions of funds. It was a retroactive amendment to open wide the gates of the Public Treasury and tell the capitalists to come and get not only what the Government was going to collect, but to come and get what they had already paid. So there were refunded out of the Public Treasury enormous amounts of money.

That was followed by the Mellon crusade to return and throw to the winds or to the public financial manipulators of this country hundreds of millions more of dollars. Then, Mr. President, they pared down the income-tax rates from 6 to 50, to 40, to 25, and down to 20, and the inheritance-tax rates were pared down in about the same manner and proportion, until now a bipartisan bill comes here, with all the blessing it ever had and a defunct Treasury as a result of it, concerning which ample warning was given at the time. A blind man could have seen what the country was being led into.

In conclusion, I am not asking any man in the United States Senate to do anything harmful to the rich people of this country. If you want to do them a favor, provide some way to put some of that wealth among some of the people of this country. If you want to make their lives secure provide a way for relieving the anxieties of 90 percent of the people in this country today who are in absolute fear of want and impoverishment. Provide a way whereby the world is going to provide a living for the people of the United

States, if you love these rich people as much as I love them. Yes, sir; provide a way to distribute it. If we sit here in this Congress and let this tax bill go back with a clause *ipso facto* annulling the law at the end of 2 years, so that these taxes will no longer be collected; if we do not raise these surtaxes and these inheritance taxes to a point where they cannot continue to perpetuate these massive fortunes in the United States, like a snowball going down hill; if we do not regulate them, when you have gone and gathered it all and all and all, in what condition are you going to leave the country? It is in it already. You do not have to go any farther. It is in it already. You mark my words: When we come back to the next meeting of the United States Senate, things are not going to be any better than they are right now, and not as good. You mark my words: You will look back on the year 1932 as a prosperous year in 1933.

You remember what I am saying. If we do not provide surtaxes and inheritance taxes to break up these large fortunes, and to provide for the needs of this Government from sources that are able to pay the cost, when we come back here in 1933 you are going to find a changed condition, and you will be wondering how conditions could have been as good in 1932 as they are now.

BUT WHY NOT THE DREAM OF AMERICA?

But, oh, Mr. President, if we could simply let the people enjoy the wealth and the accumulations and the earnings and the income and the machinery and the contrivances that we have. If, with the invention of every machine, we could secure the education of every man; if with increased production of every kind there could be less toil, more hours of pleasure and recreation; if there could be a happy and contented people enjoying what the Almighty has made it possible to provide; if there could be people clothed with the materials that we have to clothe them with today, and no place to put them; if the people could be fed with the food that we have to feed them with, and no place to put it; if the people could be sheltered in the homes we have today that the Federal land bank has taken away from them because they cannot pay the interest on the mortgages—if that could be done, if we could distribute this surplus wealth, while leaving these rich people all the luxuries they can possibly use, what a different world this would be.

"THY SOUL SHALL BE REQUIRED"

Do not take away anything they need. Leave them with all the luxuries that the world can provide them for hundreds and hundreds and hundreds of years. Leave them with every palace, with every convenience, with every comfort; but do not allow the concentration and stagnation of wealth to reach the point where it is a national calamity.

Will we do that? Will they do it? No; we know they will not do it. Will we do it for them? Maybe we will. Maybe we will not. There ought to be a coalition of the people; there ought to be a coalition of the Senators representing the rights of the people in a situation of this kind, as efficient as is the coalition of the bipartisan movement recommending and sponsoring the other side of the field.

We can do this. If we do not, we will leave these masters of finance and fame and fortune like the man in the Book of old, who said to himself, so the Bible tells us:

"I will pull down my barns, and build greater; and there will I bestow all my fruits and my goods.

"And I will say to my soul: Soul, thou hast much goods laid up for many years; take thine ease, eat, drink and be merry.

"But God said unto him: Thou fool, this night thy soul shall be required of thee."

Mr. MORSE. Mr. President, I wish to assure the Senate that I rise with a deep sense of humility to discuss the so-called manpower bill. Under ordinary circumstances, as a freshman Senator I would maintain my silence. However, I feel the significance of the bill is so vital to the future of this country that I would fail in my responsibility to my country if I did not protest some of the provisions and implications of the bill.

Before I proceed to discuss its implications, Mr. President, I should like to pay my respects to Justice Byrnes for the great service he has rendered his country during the war. It was my privilege and honor to serve in close relationship with him for 2 years while I was a member of the War Labor Board. If I had the privilege of awarding medals to great civilian generals on the home front, Justice Byrnes would be among my first choices. I have not always agreed with him on some of the policies he has promulgated or in respect to some of the procedures he has put into effect, but he stands before the American people today, in my judgment, with a record of unselfish public service which proves him to be one of the great Americans of our time.

In passing, I wish to point out that his resignation bears out rather interestingly the essence of an editorial entitled "Legislating for Byrnes," which was published in the New York World Telegram of last week, and which has already been printed in the RECORD. One of its paragraphs reads as follows:

Yet does Congress know how long Mr. Byrnes will remain as Director of War Mobilization? Or who would succeed him to those powers if he should quit, as he has many times expressed the desire to do?

Further the editorial states:

Congress should establish policies, define rights and responsibilities of citizens under Government by law, but it should not grant so much discretion to any man.

In other words, Mr. President, when we proceed to give arbitrary power to men, unchecked and without the protection of the necessary safeguards under our system of checks and balances, we should keep in mind the fact that the relationship of those men to such power is likely to be very temporary—as temporary as life itself and the ever-changing views of men.

Although at a later time in my remarks I hope, with the assistance of the chairman of the committee of conference, to review the bill, pointing out its similarities to the Senate bill and its differences, I wish to say at the beginning of my remarks that I think the committee of conference, in bringing out the bill, has performed an act similar to that of the salesman who was instructed by his employer, "When a customer comes in, remember, make him buy something. Don't let him go out of the store without buying something. Try to sell him some sort of a substitute."

Consequently when a customer walked into the grocery store and asked the salesman for some seasoning salt, the salesman looked at the shelf and discovering that they were out of seasoning

salt said, "Well, we are out of seasoning salt, but we have Epsom salt; and, you know, after all, salt is salt."

I think it is most unfortunate that this bill has been presented to the Senate in its present form at this time. This is especially true when we remember that the thing which is most needed in America today is united confidence on the part of all the people in our Government and in the objectives of that Government and in the future plans of our Government. In my judgment, legislation such as that proposed by our committee in the pending measure is not of the type which will create unity in America. On the contrary, I believe it will create much disunity and great confusion.

This morning our people by the millions, in my judgment, are very much confused as to just where this administration plans to go, as to just what it has up its sleeve. Great issues confront the Senate in the critical months ahead, issues which call for the maximum amount of unified action on the part of the Senate. There should be no division on those issues or any partisanship whatsoever, because we must face, as the Senate perhaps has never faced in our history, the job of developing through our efforts, to the extent that we can, a world order to establish permanent peace. And I believe this administration should think a long time before it seeks to impose upon the Senate a manpower bill which raises suspicion, at least in the minds of many on my side of the aisle, including myself, as to just what the domestic economic program of the administration really is.

Mr. President, I cannot reconcile the procedures of this bill with a concept of government the phraseology of which I fear has become somewhat hackneyed. Nevertheless, so far as preserving representative government in this country is concerned, it is a phrase which is far-reaching in its significance and implications. If we are to maintain our political and economic democracy in America we must maintain it through a government by law instead of through a government by men. I know of no other legislation which was ever advanced or proposed by this administration that has gone farther down the road toward arbitrary and unchecked power. I know of no other legislation which permits men to exercise such arbitrary power as that which is being proposed in the work-or-fight bill. When the administration starts collecting the dividends in connection with the issues immediately ahead suspicion, lack of confidence, and even distrust of the administration, which this legislation, if it passes, will arouse in this country, it will regret, I am sure, the pressure it is now putting on to force this bill through the Senate. The administration will have to assume the major responsibility for the dissension which will result from the passage of the bill, but unfortunately the country as a whole will have suffered from the consequences of that dissension.

Mr. President, I am not an adviser of the administration, but if I were I certainly would be pleading with it this

morning to call off the pressure which is being exerted to force this legislation through the Senate. I would do so in the interest of great issues which must be decided in the weeks to come.

The administration should not misinterpret the results of last November 7 and assume that it was given a mandate to proceed down the road toward the goal of establishing an all-powerful executive government in America. It received no such mandate. In the interest of establishing a permanent order of peace in the world, millions of voters went along with the administration because they believed that they should not change administrations at this time. I think they were mistaken, and I helped in an endeavor to produce a change. I am convinced that many of those who went along with the administration on international issues were highly critical of the domestic policies of the administration and of its procedural program for meeting domestic problems. The administration reads the ballots awry if it thinks that it received a blank check last November 7.

As one who is sometimes referred to as a suspect Republican [laughter], I make a plea to Senators on both sides of the aisle that they face the work-or-fight bill, not as partisans but in an effort to discover the facts pertaining to the bill and the implications involved. As Senators, let us try, not for the Republican Party or the Democratic Party but for the entire country, to rise to the occasion on both sides of the aisle and make clear to the administration that we will not go along with a domestic program which seeks to give more and more power to the executive branch of Government without first imposing necessary checks and balances upon those officials who are to be entrusted with power.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. Previous to now, I believe that no Senator has ever thought that either of the two great political parties was interested in this legislation as a political proposition. Although in the past we have assumed that it was not necessary to point it out, I think it should now be pointed out that in the conference there was one member of the Democratic Party who did not sign the report. He is chairman of the Democratic senatorial campaign committee. Two conferees on behalf of the Senate who supported the conference report are Republicans. So far as the Republican Party is concerned, or at least so far as the Republican conferees on behalf of the Senate were concerned, they were completely in favor of the conference report. The same statement holds true with reference to the conferees on the part of the House.

Since the beginning of the war, especially so far as the Senate Military Affairs Committee, the Senate Committee on Education and Labor, and the Senate Committee on Foreign Relations are concerned, there has never been any reference to political action in connection with any measure being considered.

I may go even further and state that among the supporters of a universal service act were not only Democrats, but Republicans. It should be pointed out that authors of the universal service bill were not Democrats, but Republicans.

I am sure the Senator from Oregon, as well as the people of the country, realize that no political consideration is involved in this measure. We have accepted wholeheartedly the words of our President, the Secretary of the Navy, and the Secretary of War, and not once has any Senator believed that those words contained any tinge of politics. The fear of those to whom I have referred is that, having "hit the bottom of the bucket," as they said, in manpower, they must be given control over manpower utilization in order to meet the uncertainties which may lie ahead pending the return of peace. Peace will not return suddenly. The problem is one of very grave concern to those who are coping with it.

I thank the Senator from Oregon for allowing me to make these remarks. I should dislike being called upon to defend the conference report on the basis of either the Democratic Party or the Republican Party.

Mr. MORSE. Mr. President, I thank the Senator from Utah for his observations. I shall have something to say in connection with the statement which he has just made with reference to what was stated by the President, the Secretary of the Navy, and the Secretary of War. I wish to say, however, that his comments in no wise change my impression of this bill, because I am satisfied that it is being pushed as an administration measure, by the administration to carry out a certain program which, in my judgment, the administration has in mind, which program I think procedurally will not be in the best interests of preserving representative government in America.

Mr. President, let me say that I was very happy to have the discussion of the pending conference report on the manpower bill go over until this week, and I was glad to be somewhat instrumental in helping along that course of action, because I believed that when the people of the country became fully aware of what this bill really provides the Senate would hear from them. I believe that the Senate is beginning now to hear from the people of the country, and I hope the voice of the country will counteract some of the pressure which was brought to bear last week by the officials of the administration. I shall refer later in my remarks to that pressure.

When I say that the Senate is hearing from the people I want to call attention to an editorial which appeared in that great newspaper, the San Francisco Chronicle, of March 29. It reads as follows:

SAN FRANCISCO, CALIF., March 31, 1945.

It is interesting to know that 167 Congressmen are willing to sell American liberty down the river by their vote on the manpower bill. American workmen have produced and are producing more war material than all the rest of the world, friends and enemies included. They have done so since we got

going 2 years ago; if they had not we should have lost the war.

The President, generals, admirals, and intercepted enemy dispatches all tell us we are winning. We have reached this position without giving Washington the power to order workmen to go where, when, and how the official mind wants them to work in this factory or that plant or go to prison; that is what the manpower bill provides.

Mr. Roosevelt has asked the Senate to pass this bill approved by the House. Failure to do so he said would hamper successful conduct of the war. Nobody wants to hamper the war. But Mr. Roosevelt says it is being successfully conducted. The means to do so in far more perilous phases than now exist were not hampered by lack of the power now sought in the manpower bill. What is the requirement now to put American workmen on a basis of serfdom? Why the proponents of this bill say that it is to assure a high level of production for the Pacific war when the European war is closed. We believe this to be a phony, a red herring drawn across the true significance of this vicious legislation. We further believe that some of the pressure for the law results from the bungling of manpower resources. This manpower bill made law would be the instrument that collectivists want for control of the American people. The best chance to get such a control is before the Germans capitulate. The doctrinaires know the psychological advantage of breaking in American opinion under the stress of world-wide war. The pressure is on the present to ask for power that should be given no human being however wise unless the Nation were in danger of destruction. It is a power that would be operated in individual application by dozens, scores, or hundreds of administrators, directors, and assistant deputy directors with authority to send anybody anywhere they decide. It is a dangerous, subtle assault and should be met and defeated by a Senate conscious of the priceless heritage of American freedom.

That is from the San Francisco Chronicle, a noted conservative and great American newspaper. I do not endorse necessarily all the language of the editorial, but I point out to the Senate that the pending bill is arousing just such controversies throughout the length and breadth of this land, and it is not good for national unity at a time when national unity in my judgment, is so vital to our general welfare.

Let me call attention to another editorial, one of March 30, in the same newspaper:

ENLIGHTENMENT NEEDED

War Mobilizer Byrnes has stopped construction of 72 war ships planned by the Navy. He believes they are intended for the post-war fleet and not the current need. Also he is looking into some other agencies with a view to ordering cut-backs, to conserve materials and make manpower available for more urgent requirements.

This naturally is opposed by the agencies involved. They say Byrnes is misinformed. We have not all the facts available and do not here attempt to take issue as stated by either side.

What does interest us is the more urgent requirements for which manpower is to be made available. What war industries need large reservoirs of manpower? Where are the plants located? What kind of labor do they require? Is it the kind of labor that will be made available by the cut-backs Byrnes has in mind?

These questions are not answered by the notices published from time to time that some local plant or military establishment needs 6 typists, 12 laborers and 24 expert

machinists, not of a kind turned out by a few weeks of intensive shop schooling. They are questions that deal with something broader than any local shortages of special kinds of labor.

The lay-off of thousands of workers in various war activities is in prospect. We are not suggesting that such activities, if they are surplus to war effort, should be continued anyhow to keep the jobs going. But if the cut-backs are made for the primary purpose of making manpower available for more urgent requirements the where and what of these should be stated. We believe that if the information is made public, workers already thrown out by cut-backs will go into jobs they can do without the manpower law now pending in the Senate, to threaten them with prison if they do not work.

Editorials such as that, I think, are rather representative of the growing point of view of the American press, and they are going to have a tremendous effect upon public opinion.

Again I wish to say that, while I think the bill will be defeated, yet if it passes it will not pass by a substantial majority, it will not be acceptable to at least a very large minority of the public, and, in my judgment, not acceptable to an overwhelming majority of the public.

National unity cannot be produced by legislation which causes such great breaches in public support. The enforcement problem which will be created by this bill is going to be a stupendous one, and it never will be met unless those in charge of enforcing it utilize the full power of the bill, and certainly we should not write a page of history in the midst of this war to the effect that it became necessary, in the judgment of Congress, to pass prison legislation in order to assure adequate production on the home front. Such legislation, in my judgment, is a real insult to the patriotism of American management and American labor.

I wish to take the time, Mr. President, for the RECORD to read an editorial that appeared this morning in the Portland Oregonian, of Portland, Oreg., and I should like to have the Senate keep in mind that on the west coast at this hour we are faced not with a manpower shortage but we are faced with a growing problem of unemployment. The problem of unemployment is spreading over America today. This bill cannot be justified on the ground that there is a manpower shortage. With a cut-back in the great shipyards, we are going to be confronted in the city of Portland with many more thousands of people walking the streets within the next few weeks than are walking the streets there this morning unless we proceed without delay to provide new war contracts in the Portland area or transfer the workers to war jobs elsewhere.

It is estimated that 10,000 previously employed war workers in the city of Portland are today out of jobs. And we discuss a manpower bill, based partly upon the theory that there is a manpower shortage.

Let us not argue about facts. As some one has so aptly put it, "You cannot argue about facts, you can only be ignorant about them." I say that those who are talking about a manpower shortage in

this country today appear to be ignorant of the fact that there is a rising unemployment problem facing America. Do not tell me that it is going to be the policy of this administration to face unemployment by legislation which threatens to put people in jail unless they work where the administration tells them to work. I am confident American workers will perform war work whenever it needs to be done but they will resent, and rightly so, a reflection upon their patriotism by the use of coercion.

Mr. President, the editorial in the Portland Oregonian reads as follows:

The work or fight bill, which has passed the Lower House of Congress, is scheduled for action by Senate at an early date—possibly today. Its consideration will be accompanied by the distant din of victorious Allied arms in Europe. The enemy is being squeezed of his substance and his power. General Eisenhower proclaims that the German armies are whipped. The end of that phase of war is in sight.

At home, policy-faithful James F. Byrnes, War Mobilization Director, advises Congress that steps must be taken to dislodge qualified workers in nonessential industry and put them in essential industry, but present in detail reconversion plans that will follow victory day in Europe and accompanies them with statistics and forecasts that violently dispute his assertion a work-or-fight law is now necessary.

The last preceding estimate of number of employees needed in war production has already dropped from 700,000 to 250,000 to 300,000 temporary unemployment in the 6 months following VE-day, while conversion is under way, is foreseen at about 1,000,000 men.

And the Senate will have before it the new announcements of cancellation of certain contracts for naval vessels.

It is incomprehensible that there is need for compulsory labor in essential industries at a time when cut-backs in production are in near prospect. It is incongruous to maintain that American labor which produced prodigiously and adequately when demands for more and more came from every front and no end to output requirements was in sight will not finish the lesser job by voluntary effort.

By any reasonable analysis of his report to the President and to Congress, Mr. Byrnes' support of the work-or-fight bill is with "tongue in cheek" and that may be taken for granted as to support in some other high places. Whatever its real purpose—whether it be advanced as social experiment, or as further adventure in regimentation or in support of "austerity" in wartime—the essential war economic elements of work or fight bill, which once may have existed, have now disappeared. The Senate ought to make short work of the bill; common sense calls for its rejection.

Mr. President, I shall not take the time of the Senate to read into the RECORD more than samplings of communications numbering over 200 which I have received since last Thursday afternoon. I should like to have unanimous consent to have inserted in the RECORD at this point in my remarks a few of the communications. I shall read two or three.

The PRESIDING OFFICER (Mr. MURRAY in the chair). Is there objection to the request of the Senator from Oregon?

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., March 29, 1945.

HON. WAYNE MORSE,
Senate Office Building:

I heartily endorse your stand on the manpower bill and hope you will keep up the fight and be successful.

E. B. MACNAUGHTON,
President, First National Bank
of Portland, Oreg.

PORTLAND, OREG., March 28, 1945.

THE HONORABLE WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Sentiment here, as we gauge it, is that work-fight legislation far too drastic in its effects on both management and labor.

I believe we should encourage you to oppose it.

FRANK E. MCCASLIN,
President, Portland Chamber of Commerce.

ALBANY, OREG., March 28, 1945.

SENATOR WAYNE L. MORSE,
Senate Office Building:

Wish to express our firm as being very much opposed to May bill (work or fight) as passed by House yesterday. Feel over-all effects damaging to economy and war effort. Trust defeat in Senate.

KAMPFER ROS.

PORTLAND, OREG., March 28, 1945.

WAYNE L. MORSE,
Senate Office Building:

This area does not need May-Bailey bill as we are all laying off workers due to lack of war contracts. I do not like bill nor authority placed in Byrnes' hands and believe penalty to employees will discourage movement to other war jobs as present employment terminates.

RAY S. BECKER CO.

PORTLAND, OREG., March 28, 1945.

SENATOR WAYNE MORSE,
Senate Office Building:

We are opposed to May-Bailey bill as now proposed. We feel it will retard rather than aid critical war production. We urge that you vote against this bill.

GUNDERSON BROS. ENGINEERING
CORPORATION,
C. E. GUNDERSON.

PORTLAND, OREG.

HON. WAYNE L. MORSE,
United States Senator,

United States Senate:

We are deeply concerned over prospective passage of May-Bailey bill. Disagree with bill, because, first, with full authority placed in hands one man could become political football; second, we believe critical production will be retarded because employees will leave jobs. Trust we see eye to eye.

WENTWORTH & IRWIN, INC.,
CHAS. W. WENTWORTH.

PORTLAND, OREG., March 28, 1945.

HON. WAYNE L. MORSE,
United States Senate,
Washington, D. C.:

I am opposed to work-or-fight bill, because jurisdiction will rest entirely in Byrnes; also, stiff penalties on employees leaving critical industries will not be conducive to obtaining new workers. Hope you will see your way clear to vote against bill unless properly amended.

J. NEILS LUMBER CO.,
PAUL NEILS, President.

PORTLAND, OREG., March 28, 1945.

HON. WAYNE MORSE,
United States Senator:

Strongly urge your efforts to defeat labor-draft bill, because at this date it can be nothing but a measure to secure control of

our economy and our lives now and after the war. It will get no labor for war industries, and in addition take as many persons to administer as the War Manpower Commission says it needs.

KENNETH I. TOBEY.

PORTLAND, OREG., March 28, 1945.

Senator WAYNE MORSE:

I believe that added confusion and injustice would be created if work-or-fight legislation passed. The sacrifices of liberty and freedom this legislation would impose upon America seems unnecessary now. I urge you to protect our freedom. Defeat this bill.

DOUGLAS R. GEROW.

CLEVELAND, OHIO, March 29, 1945.

The Honorable WAYNE L. MORSE,

Senate Office Building,

Washington, D. C.:

Brotherhood Railroad Trainmen strongly urges Senate to reject conference committee report on manpower bill, H. R. 1752. We oppose bill, because it gives dictatorial power to one man. It provides penalties against employees that are not conducive to effective utilization of manpower. It would be a heavy blow to the morale of American labor which has made such a magnificent record in the battle for production.

A. F. WHITNEY, President.

WASHINGTON, D. C., March 28, 1945.

HON. WAYNE MORSE,

Senate Office Building,

Washington, D. C.:

The Railway Labor Executives' Association convening today at the Hamilton Hotel, Washington, and representing practically all railroad labor, repeats its consistent opposition to drafting of workers for private profit and which position we have stated at the various hearings. We are equally opposed to the conference report H. R. 1752 now pending for action. Railroad labor has made a record of production never before equaled. We feel that enactment of legislation of this character will seriously interfere with the present outstanding performance of American labor both in wartime production and other wartime activities and we respectfully request that this legislation be defeated.

T. C. CASHEN,

Chairman,

J. G. LUHRSEN,

Executive Secretary, Railway Labor Executives' Association.

WASHINGTON, D. C., March 28, 1945.

HON. WAYNE L. MORSE,

Senate Office Building,

Washington, D. C.:

Earnestly solicit your vote against work-or-jail bill. Passage of such a bill will seriously impair morale of American workers who under a voluntary system have established the greatest production record for the United States and our allies in the history of the world.

Ed. J. BROWN,

International President, International Brotherhood of Electrical Workers.

PORTLAND, OREG., March 29, 1945.

Senator WAYNE MORSE,

Senate Office Building.

DEAR SENATOR: This morning's Oregonian carried the story of your courageous fight in opposition to the proposed work-or-fight bill now pending before the Senate. You are speaking the sentiments of the great majority of the working people of the State of Oregon, and I personally request that you continue to fight in that direction. Production record on the Pacific coast is outstanding and we think that some of the leaders in Washington should be aware of the fact by this time.

JACK SCHLAHT.

PORTLAND, OREG., March 29, 1945.

HON. WAYNE MORSE,

United States Senator,

Senate Office Building:

Central Labor Council of Portland urgently request you oppose conference report on H. R. 1752. With war practically won this vicious and dangerous measure is uncalled for. It means approximating slavery and imposition of heavy penalty by one man. Your story in morning Oregonian March 29 encouraging.

Regards,

GUST ANDERSON,

Secretary, Central Labor Council of Portland, 101 Labor Temple.

PORTLAND, OREG., March 29, 1945.

Senator WAYNE MORSE,

United States Senate,

Washington, D. C.:

Appreciate your efforts to stop H. R. 1752. Unthinkable such power be placed in hands of one man. Labor in Oregon knows labor draft unnecessary. Keep fighting for our interest.

JOINT COUNCIL OF DRIVERS 37.

PORTLAND, OREG., March 29, 1945.

Senator WAYNE MORSE,

Senate Office Building,

Washington, D. C.:

Entire membership of Warehousemen's Union, Local 206, urgently request that you oppose H. R. 1752. If this measure is successful in passing we are of the opinion that it will do nothing but seriously impede our relations with the employers in this area. We do not feel that any one man should be granted that much authority and power.

J. W. ESTABROOK.

PORTLAND, OREG., March 28, 1945.

United States Senator WAYNE MORSE,

Washington, D. C.:

Entire labor movement in Oregon unfavorable to compromise bill on manpower conscription. Free labor has an enviable record of production and can maintain that record only so long as they are free. Urgently request your negative vote on this bill.

R. E. BROWNELL,

Recording Secretary, Carpenters Local 226.

PORTLAND, OREG., March 28, 1945.

United States Senator WAYNE MORSE,

United States Senate,

Washington, D. C.:

We respectfully urge you vote against work-or-jail bill.

E. A. BIRD,

Secretary, Portland Metal Trades Council.

COOSBAY, OREG., March 29, 1945.

Senator WAYNE L. MORSE,

United States Senate,

Washington, D. C.:

The Southwestern Oregon Central Labor Council opposes conference report on H. R. 1752 and ask that you express your opposition to same.

THOMAS CRUKSHANK,

Secretary.

ASTORIA, OREG., March 29, 1945.

WAYNE MORSE,

United States Senate,

Washington, D. C.:

The Astoria Central Labor Council requests that you oppose conference report on H. R. 1752.

J. L. FOOTE,

Secretary, Astoria Central Labor Council.

LA GRANDE, OREG., March 30, 1945.

WAYNE MORSE,

United States Senate,

Washington, D. C.:

We are opposed to conference report on H. R. 1752.

LA GRANDE CENTRAL LABOR COUNCIL,
By OPAL POWELL, Secretary.

NEW ORLEANS, LA., March 29, 1945.

Senator MORSE,

United States Senate,

Washington, D. C.:

We strongly urge you to vote "No" on the conference report on the May-Bailey work-or-jail bill. It is not consistent with democracy to shackle labor. Shipyard workers are out of employment in practically every port in the Nation. There is no need for the May-Bailey bill.

W. T. CRIST,

Regional Director, I. U. M. S. W. A.-C. I. O.

PORTLAND, OREG., March 29, 1945.

HON. WAYNE L. MORSE,

Senate Office Building:

I commend your attitude and the effort you are making to refuse Mr. Roosevelt his desire to extend his power over a free people. Should he be granted the power he is seeking, production instead of increasing would soon become a negligible volume.

C. L. KOSTER.

NEWPORT BEACH, CALIF., March 29, 1945.

Senator MORSE,

Senate Office Building:

Members urge you to vote "No" on the conference report on the May-Bailey work-or-jail bill.

LOCAL 52, I. U. M. S. W. A., C. I. O.,

President, SANDOVAL, and

Executive Secretary, ANDERSON.

BAKER, OREG., March 29, 1945.

Senator WAYNE MORSE:

We ask your continued opposition on H. R. 1752. Let's not draft labor for private profit. Those conditions are why our boys are dying over there.

A. L. CARLSON,

Secretary, Baker Central Labor Council.

PORTLAND, OREG., March 29, 1945.

Senator WAYNE MORSE,

United States Senate,

Washington, D. C.:

Labor still opposed to drafting of workers. Thousands being laid off daily on Pacific coast. Unthinkable draft necessary at this stage of the war. Chamber of commerce and both branches of labor agreed today draft unnecessary. Dangerous placing too much power in hands of one man, as House bill 1752 provides.

J. T. MARR,

Executive Secretary State Federation of Labor.

PORTLAND, MAINE, March 31, 1945.

Senator MORSE,

Washington, D. C.:

Local Fifty Iumswa C. I. O. remains unalterably opposed to the work-or-jail bill now in conference. It is not consistent with our democratic principles to shackle American labor at the very moment when our armies are liberating the slave labor of less fortunate nations with hundreds of unemployed shipyard workers in Portland and many more facing lay-offs at the Bath Iron Works. Maine workers demand your opposition to this bill. We must keep our Government free.

ANDREW A. PETTIS,

President, Local 50.

ROSEBURG, OREG., March 31, 1945.

WAYNE L. MORSE,

United States Senate:

Please use all of your influence to keep House Resolution 1752 from conference report. We do not want this bill to pass.

ROSEBURG CENTRAL LABOR COUNCIL,

LESTER R. WILLIAMS, President.

PORTLAND, OREG., March 30, 1945.

Senator WAYNE MORSE,

Senate Office Building:

Machinist Local 63 urgently request you oppose work-or-fight bill.

MACHINIST LOCAL 63.

EUGENE, OREG., March 30, 1945.

Senator WAYNE MORSE,

Senate Office Building:

The Eugene Central Labor Council requests you to oppose conference report on House Resolution 1752.

ELBERT T. DEMOSS, Secretary.

PORTLAND, OREG., March 28, 1945.

HON. WAYNE MORSE,

United States Senator:

We urge you to oppose the war manpower bill which is detrimental to the welfare of the voluntary patriotic workers of this country.

FRED MANASH,

Secretary, Portland Building and Construction Trades Council.

CAMDEN, N. J., March 29, 1945.

Senator MORSE,

Senate Office Building:

Local No. 1 ship workers' union urges you to vote "no" on the conference report on the May-Bailey work-or-fight bill. The Navy Department just this week canceled contracts in the New York shipyard. Many other cancellations are being made in other war industries. It is our contention that this legislation is unnecessary.

HARRY R. DEITH,

Assistant Executive Secretary Local No. 1, Industrial Union of Marine and Shipbuilding Workers of America.

BROOKLYN, N. Y., March 29, 1945.

Senator MORSE,

Washington, D. C.:

The following is a telegram sent to Senator WAGNER and Senator MEADE, of New York, by our local at a special membership meeting of the Industrial Union of Marine and Shipbuilding Workers of America, Local No. 13, representing 25,000 shipyard workers in the port of New York. It was unanimously voted that you, our representative in the Senate, should voice our disfavor of the May-Bailey bill when it is presented on the floor of the Senate.

ELLIOTT,

Secretary of Local 13, Industrial Union of Marine and Shipbuilding Workers of America.

PORTLAND, OREG., March 31, 1945.

HON. WAYNE L. MORSE,

Washington, D. C.

DEAR SENATOR MORSE: It is with deep appreciation that we note your stand on the so-called work-or-fight legislation now before the United States Senate.

To us the passage of this legislation would be a long step toward regimenting our people by an administration which now has too much power, largely used to perpetuate itself.

We hope the time has come when the Congress will assert its constitutional right to make the laws of the Nation and enforce their administration as intended, rather than a government by directives of bureaucrats and visionaries not elected by the people.

With highest personal regard, we are,

Very truly yours,

Mr. and Mrs. O. E. HARKNESS.

Mr. MORSE. Mr. President, I have here a telegram from the president of the First National Bank of the city of Portland, Mr. E. B. MacNaughton. Certainly, at least, he cannot be charged with being unpatriotic or pro-labor in his point of view. He is a great, patriotic, public-spirited citizen of the West. He says:

I heartily endorse your stand on the manpower bill and hope you will keep up the fight and be successful.

Here is a telegram from the president of the Portland Chamber of Commerce; one from one of the large retail employers of the State, operating a chain of retail establishments, Kampfer Bros. I have another from the Becker Co., and one from Gunderson Bros. Engineering Corporation, a concern which has made a great war record in wartime construction. I have here also a communication from Wentworth & Irwin, and other employers who are familiar with war production problems.

I have here a telegram from the Neils Lumber Co., and, at a later time in my remarks, I shall have something to say about the work-or-fight bill as it relates to the lumber industry.

There are many communications from labor, too. A. F. Whitney, president of the Brotherhood of Railroad Trainmen, who I think Senators on the other side of the aisle know has been an ardent and effective supporter of this administration from its very beginning, has this to say:

Brotherhood Railroad Trainmen strongly urges Senate to reject conference committee report on manpower bill. We oppose bill because it gives dictatorial power to one man. It provides penalties against employees that are not conducive to effective utilization of manpower. It would be a heavy blow to the morale of American labor, which has made such a magnificent record in the battle for production.

I have a similar telegram from T. C. Cashen, representing the executive council of the Railway Labor Executives.

Thus, Mr. President, the telegrams read all to the same general effect, that employers and labor oppose vesting in one man so much arbitrary power; and, second, they resent the negative implications of the bill upon the great record that American industry and American labor have made during the war, and I resent it, too.

Mr. President, I now wish to take a few minutes of the time of the Senate to discuss some of my observations while a member of the War Labor Board, in connection with wartime labor policies. I mean to be kind, but I insist upon being honest.

I wish to say, as one who has done a considerable amount of work in the settlement of labor disputes in this country since 1935, and who, during his term of office on the War Labor Board for 2 years, wrote a majority of the opinions of that Board, that I am not at all impressed by the argument which has been made over and over and over in this debate that we should enact this manpower bill because high military and naval authorities believe it should be enacted. That is a non sequitur, a great fallacy.

Mr. President, I will pay as strong a tribute, and with as much sincerity, as any Member of the Senate to the magnificent job our military and naval forces and their great leaders have done on the fields of battle to keep Americans free men. However, I wish to say with equal sincerity that if I wanted to be sure how a labor dispute should not be settled, I should first seek the views of the high military and naval officials of the country, because as a general rule I have found their approach to the set-

tlement of disputes between free employers and free men involved procedures and policies which we should not permit to take root in America.

While I was a member of the War Labor Board, the late Secretary Knox honored me by asking me to serve him as a sort of one-man court of review to pass judgment upon the record made by a board of admirals in the handling of certain labor issues. The Secretary was concerned as to whether or not the record made by the naval officers constituted a fair hearing. At the time this service of mine was assumed to be a naval secret, but the Secretary in his own press conference at a later date made a statement as to my services in that regard, so I feel at liberty to comment upon them now. I took the cases and I studied the record, and in each and every case I found it necessary to recommend to the Secretary of the Navy that the board of admirals be reversed because they did not grant a fair hearing in accordance with well-established guaranties for a fair hearing under American law. I found further that the record of evidence in each case did not sustain the judgment of the admirals. Without exception the Secretary adopted by recommendations.

Mr. President, let us be frank about the matter. By training, by responsibility, by point of view, on the whole those in charge of the military and the Navy are men of action. They are men who want immediate results. They are inclined, and quite understandingly so, to say, "Well, if this is where we want to go, let us go there. Let this be the order. Let us get on with the business of getting out the goods. Do it this way." They fail to recognize that by great historical tradition in America there has developed in our people, fortunately, such a love for freedom that free men resent and resist dictation, whether that dictation comes from men in the Navy or in the military relating to civilian affairs, or whether it comes from an administrator in the executive branch of the Government. Further, I think it would be most unfortunate if American management and American labor were led to believe, if the bill were passed, that the Senate of the United States in passing it accepted the argument of the military and the Navy that it ought to be passed in the interest of military morale.

Mr. President, I said I want to be kind. It seems to me that criticism of what high military and naval officials have done in regard to this bill will serve little good purpose now, and therefore I pass over it simply with this observation. If there is a problem of morale in the military forces in regard to production on the home front, I am afraid that high military and naval officials have contributed toward creating that problem, and I think they owe it to free labor and free employers in America to see to it that more information goes to the soldiers and the men in the Navy on the fighting fronts in regard to the great backing they have received and are receiving on the home front. Our civilians have made a great record throughout this war. Their magnificent production record has been

made by free employers, free labor, free farmers, and free civilians devoted to the cause of the war and pledged to back up our fighting forces. They are keeping that pledge, the insult of this bill to the contrary notwithstanding.

Mr. President, I am not going to review some of the statements that have come out of high places in regard to this morale problem, but I do venture the conclusion that I do not think our men in the military services abroad have been given a balanced picture in regard to the great job that has been done on the home front. When the men come back and find out what we have been doing on the home front, and the extent to which they were misinformed while in service, it will be found that what is said in these emotional appeals which are being made now to the effect, "Just wait until the boys get home; they will do something about it," will come to pass, but in a different way than those making the arguments think. And I say—digressing for a moment—that I for one think it is a great disservice to our Nation for anyone to try to create any breach between the military forces and the civilians at home. And when the boys come back—those who come back having been willing to die to preserve the type of liberty I am arguing for here today—they will be the most militant among our population, in my judgment, in opposition to this trend of establishing a more and more powerful executive branch of government that does not permit of adequate checks to prevent the exercise of arbitrary and capricious powers. Most of them are going to return to the ranks of labor, and to the farms, and to small business, and they are going to see the significance of the principle of government I am defending here today. They are going to resent the attempt to camouflage it, which attempt I think is being made by the proponents of this bill.

So I say on this point, Mr. President, that the arguments of the Army and the Navy in regard to the problem of civilian production carry very little weight with me because, having observed them function in the field of civilian production for 2 years, I much prefer to leave the problem of civilian production in the hands of free employers and free labor in this country unrestricted by the type of dictatorship that the military and naval officials, at least, shall we say, unconsciously are seeking to impose upon us by this bill.

Mr. President, I said I would make a comment or two in regard to administrative pressures that are being used upon the Senate. Senators know that many telephone calls have come to them from high Government officials since the middle of last week urging that this bill be passed. I have received some. Let me say that in discussing the matter with me the cat came out of the bag many, many times. The black cat in the bag is the fear that unless we have some such bill as this, after hostilities have ceased, we cannot meet the unemployment and reconversion problems of this country.

In my judgment, we will never meet the unemployment problem of this country by the use of coercive devices. Oh,

yes, I know there is a termination date in the bill. We have had termination dates before. It is the old practice again of conditioning people, getting them to think and act in a certain way, and then hoping that once that behavior pattern is repeated over and over again they will not object when under the guise of a new emergency an attempt is made to extend the principles of this type of bill. That is why I say that if we are going to make a fight for the preservation of freedom here on the home front, if we are going to make a fight against the attempts to regiment the economy of this country, the time to make that fight is now and on this bill. It may be our last chance, because if we give this sort of power of economic dictatorship to any man or to any agency, I think we will have a future fight on our hands in any attempt to regain the freedom we give away today.

Let me say a word about arbitrary action in government. There is much of it today. I am perfectly willing, where it can be shown that it is necessary for a more effective prosecution of war, to give up any home-front liberty. I think I have made that clear in many decisions from time to time. In case there are any doubting Thomases who think for a moment that I would defend any cessation of work or any strikes, let me make myself perfectly clear. Over and over again, in decision after decision, I have pointed out that there is absolutely no justification at any time, under any provocation, for a stoppage of work, or for a violation of the wartime labor policy by either labor or management. Thus, in one decision, I said:

The calling of a strike is absolutely unjustified.

Labor should never lose sight of the fact that the men in the armed services who are facing the enemy in battle have the right to expect uninterrupted production of war materials at home. Labor is making many sacrifices in this war, but our armed forces who are fighting and dying that labor in America may remain free are making much greater sacrifices. No combination of words, no rationalized alibis, no pleas of provocation or extenuating circumstances can be, will be, or should be accepted by our fighting forces as justifying work stoppages resulting from disputes between employers and employees, or between factions in their ranks.

In another decision, in the so-called Los Angeles transit case, I stated:

Labor is entitled to its full share of credit for the great production record which has been made. It has made its sacrifices, but they have not been greater than the country has a right to expect of it in time of war. In fact, much greater sacrifices will probably have to be made not only by labor but by all groups before this war is over; if we are to maintain that stability in our national economy so essential to preserving a war economy which will permit of maximum production.

Workers are entitled to a standard of living of health and decency that will permit of maximum war production, but beyond that, workers should not expect wage increases in the midst of a war. The life of an American soldier is a sacred thing. There is something almost sacrilegious about insisting upon improving the economic conditions of our civilians at home above a standard of living of health and decency, while at the same time so many of our young men are suffering and

dying in our armed forces on foreign soil in order that our American way of life may be preserved.

It is the obligation of all of us at home to dedicate ourselves to the task of ending this war in the shortest possible period of time and to effectuate that end we must be willing to increase our sacrifices at home to a degree not yet contemplated by most of us.

So to make myself perfectly clear, I do not plead against this bill as a proponent of industry or as a proponent of labor. I plead against it because I think the principles of representative government which it violates are too precious to sacrifice in the absence of a showing of necessity. I insist it must not pass if we are to protect and to preserve this form of government based upon a three department system of checks and balances.

That is no overstatement. I mean that we cannot continue to give to individual men the power to exercise the tremendous authority which this bill would give to the Director of War Mobilization and Reconversion, and maintain our check and balance system devised to protect us from the abuse of power by officials of government. It may be said, "What we can give we can take away. In case of abuse, Congress has authority to step in and correct the abuse, either by taking away power granted, or by restricting the power with some amendments."

Mr. President, I do not believe that is a very effective argument, judging from the wide power which the Congress has given to individuals during the past 12 years. The fact is that abuses of power exist. Yet one looks almost in vain for any record of action on the part of Congress during that period designed to check a power already granted when the power has been abused. There have been some exceptions. The point I wish to make is that the legislative pattern which is developing in this country is to give more and more power to some administrative agency, and not circumscribe that agency with the necessary checks to prevent the exercise of arbitrary action on the part of the Administrator.

When I speak of abusive practices, I should like to digress, in a way, although I think the principle is very much in point, to call attention to some abusive practices which I think are being engaged in by O. P. A. That is a good example, I think, of the administrative officials of a great agency engaging in many abusive practices in the enforcement procedure of the agency. All over the country there is being practiced by enforcement officers of O. P. A. the old technique sometimes employed by sheriffs in talking their way into a free home without a warrant. The O. P. A. enforcement officials are obtaining compromises of alleged violations without following procedures which in my judgment constitute due process of law.

I invite attention to an editorial published on March 16 in my home-town newspaper, The Eugene Register-Guard. The editorial is entitled "Trial at Curb Is Bad." It reads as follows:

"TRIAL AT CURB" IS BAD

Grocers and other merchants of the La-Grande-Baker area in eastern Oregon are in

revolt against the O. P. A. practice which we discussed several months ago and dubbed "trial at the curb." Not only O. P. A. but the income tax people and other Federal agencies have employed swarms of so-called enforcement officers who travel about the country assessing penalties against violators.

This is the way the scheme works:

"Grocer A is confronted by an agent who accuses him of having committed X violations during a certain period. He is given the choice between making a contest (which he could do in the courts) or offering an immediate 'contributory settlement' in favor of the United States Government. Most of the accused pay rather than risk expensive litigation and other penalties."

There is grave danger of malpractice and corruption in this procedure. It is true that a record is made of settlements and these settlements are supposed to be confirmed by the local ration boards, but in most cases, so far as we can learn there is absolutely no valid record of the basis of the "contributory settlement" or of the discussions and arguments which take place between the agent in the field and the victim. And in any case, a ration board, under the present set-up, is not a court of law.

The reports from LaGrande and Baker indicate that in some of the cases over there these "settlements" were made without consent of the ration board or the ration board was actually instructed by O. P. A.'s field agents. McDaniel Brown, State director of O. P. A. says:

"It does appear that the representative of the Portland district exceeded his instructions."

The only excuse which has ever been offered by O. P. A. and other agencies for this rotten procedure is war urgency. Not even the war can excuse such rank violation of the basic right of every citizen to something resembling "trial by due process of law." In common prudence no Government agency can afford to turn scores of hastily chosen collectors loose on the land, with power to assess heavy cash penalties on the spot. It is a technique borrowed from the worst in big-time gangsterism.

Before I came to the Senate my law office had pending a series of cases involving abuses not only on the part of O. P. A., but on the part of enforcement deputies of other agencies, including the War Labor Board. Let me say that I believe that when we come to consider anew the O. P. A. legislation, it is of vital importance that before we renew it we should review this question of enforcement practices. I believe that price controls must continue after the war until civilian production can equal or balance the purchasing power of our people, because unless we maintain controls of that type we shall be confronted with the cheapening of the American dollar. I see no other answer to the problem.

As some have heard me say before, it seems to me that after the war our No. 1 domestic problem, next to unemployment—and of course both of them are connected—our No. 1 domestic problem will be to face the fight and win the battle against inflation, and we shall have to have O. P. A. controls in order to do that job. As I have said in several decisions we can never permit the pockets of American citizens to be filled with cheap money, because the moment we do that, we will have pockets close to empty stomachs.

The application I wish to make of this observation relative to O. P. A. practices to the bill before us is that we cannot continue to give administrative officers

of our Government the unchecked power which many of them are exercising under the broad grants of power which Congress has enacted in major legislation. I frequently refer to grants of power in legislation as the passage of "sleeper" clauses. We have a beautiful example of one in the pending measure.

If we examine much of such legislation, we find little clauses to the effect that the Administrator or the Director shall be empowered to issue such orders, regulations, and directives as in his judgment are necessary to carry on the purposes and the intent of the act. We read in vain elsewhere in the statute to find any adequate check upon those powers. Oh, yes, Mr. President, we are told that there is always an eventual chance to take an appeal to court. Many of the O. P. A. enforcement officers apparently are aware of that; and so they say to the victim, "Of course, you know that if you do not want to make this compromise and pay \$2,500 in full settlement of our allegations of violations amounting to many times that, you can go to court; but, you know, it will cost you a great sum of money to find out if we are right, and you cannot be sure that we will not win when we get to court."

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. AIKEN. In his study of the situation, has the Senator from Oregon found many instances or any instances in which emergency powers granted to the executive department in the last 12 or 14 years have been relinquished, or instances in which the Congress has failed to renew such powers at the expiration date?

Mr. MORSE. I know of no such instances, but I take it for granted that there have been some.

Mr. AIKEN. I realize that the N. R. A. was done away with by the decision of the Supreme Court. I should like to ask whether any Senator knows of any instances of the sort I have mentioned.

Mr. MORSE. I have not studied all the legislation, but I will venture the assertion that the whole pattern is one of giving the powers to an administrative agency and that agency retaining the powers, once they are vested. The pattern is not one which shows that Congress has been cautious about granting very broad, unchecked powers.

Mr. AIKEN. My observation has been that every time emergency powers have been granted, they have been geared into the machinery of government, so that when the expiration date arrives, often those who were opposed to them in the first place do not dare repeal the powers, for fear they will wreck the machine of which those powers have become a part by that time. It seems to me the same situation would very likely develop under the emergency power which is proposed in the pending measure.

Mr. MORSE. The observation of the Senator from Vermont coincides with my own views.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. TAFT. There are a few instances in which powers have been taken away. The chief one of which I think was when the Congress ended the power of the President to devalue the dollar. That power was renewed several times longer than it should have been, and was finally ended.

Also, of course, various emergency agencies, such as the W. P. A., the N. Y. A., and the C. C. C., were finally abandoned, after running for probably 3 or 4 years beyond the actual emergency which brought them into being.

Mr. MORSE. I thank the Senator.

Mr. President, I wish to say further that although I am sure I shall be found among those who believe that certain controls over the economic life of this country will be necessary for a period of time after the war ends, I shall also be found among those who will insist that in continuing the powers granted there shall be some amendments to some of the legislation which will provide for more adequate procedure for checking the abuses. I think that is particularly true in the case of O. P. A. legislation. As a general pattern, I would suggest in passing that I think when it comes to enforcing legislation passed by the Congress we should look more to the Department of Justice to develop the techniques and procedures for enforcement, and we should be inclined, in my judgment, to favor the development of independent administrative tribunals to exercise powers of judicial review over executive agencies. As I shall say later, of course one of the great weaknesses of the bill now proposed by the committee of conference is that under it we would not even have the appeal protection that we adopted by amendment at the time when we passed the Senate bill.

Of course it is easy to criticize. It seems to me there is a burden which rests on the shoulders of anyone who criticizes, namely, to offer constructive suggestions as to how the job should be done if it is not done in the way proposed. I think the bill passed by the Senate provided the machinery for doing the job. It was a combination, it seemed to me, of a voluntary system and sufficient compulsions to make it work. After all, as I said at the time when the Senate bill was under consideration here, it called for the granting of tremendous powers to the Chairman of the War Manpower Commission and to the Director of War Mobilization in connection with the fixing of ceilings. But the fixing of ceilings would have done the job. The opponents say that if the pending measure is not passed, men will quit work and will rush to civilian production.

The Senate bill contains controls to prevent that. The controls already exist under the Presidential powers under the War Powers Act, passed by the Congress, giving the President great authority. The powers of the War Production Board will continue. Under the Senate bill, with the power to fix ceilings the Government still would retain control over materials and over transportation priorities. The priority power is a tremendous one. It seems to me that is all the compulsion

we can justify placing upon freemen, in view of existing needs.

I was very much interested in two statements made by the President in recent days. One of them was a statement he made in commenting upon the great charter entered into by Eric Johnston and by the heads of the A. F. of L. and the C. I. O. Let me point out that in my judgment there is an example of what a voluntary system can do. If this Government only would bring to bear the advice of industry and labor in the solving of the manpower problems; if it would not proceed, as it has done too frequently, to issue instructions and orders without first finding out their applicability to the industries concerned; if it would counsel more with industry and labor, many of the problems which they face never would have arisen.

What did the President say in regard to the charter which was previously referred to? He said:

I am very pleased to learn of your plans to organize a committee of representatives of industry and organized labor to insure the continued close cooperation between labor and management to win the war and the peace. The close cooperation between labor and management during the war has made possible our great unexcelled achievements in war production. That great cooperation must be continued to make possible the full employment of labor and capital under our system of free competitive enterprise when hostilities cease. I hope you will press forward with your plans and report to me from time to time the progress achieved. I shall be happy to cooperate with you in every way possible.

That is a great statement. In my judgment it demonstrates exactly the spirit with which the President should meet that great landmark in labor relations in this country. But I cannot reconcile the statement with the implications contained in some of the President's language in connection with the work-or-jail bill. In that language he attempts to point out that this coercive measure, which provides, at least, the framework of an economic dictatorship, should be enacted in order to guarantee necessary war production during the closing period of the war. My suggestion is that if the President meant the language which he used when he passed judgment upon the recent industry-labor charter, he should proceed under a bill such as the one passed by the Senate, to bring together immediately a conference of representatives of American labor, American industry, and American farmers, and present them with whatever problems may exist in regard to manpower. In keeping with the spirit of the recent charter which has been referred to, and the language which he used in passing judgment upon it, the President should ask those representatives to work out, on a cooperative basis, the necessary program to make successful the administration of the Senate bill as originally passed. In my judgment he would meet with a response from American labor, management, and farmers, which would not fail him, just as they have not failed him at any time during this war.

The President has received and has deserved much cooperation; but, on the

record of war production which has been made, free Americans do not deserve to have forced upon them an infringement of their liberties such as the President proposes by this bill.

Mr. President, I shall comment now on the potential success in administration of the conference report if it shall be adopted. Please remember my comments in opposition to any stoppage of work. If the bill should be enacted, and any stoppages of work should occur, instead of helping the war-production program, the bill would prove to be a great obstacle to it. I fear the bill would cause strikes. Why do I say that, Mr. President? Because men are human. When they work under provocations which involve injustices, in the heat of anger or under emotional strains they frequently suffer lapses of good judgment. If we tell free workers that they must carry out a directive issued by some person in Washington that they must remain on the job, or else—some of them will say, "Or else what?" Those who will suffer from such lapses of good judgment will still represent a minority of labor. However, it is my honest belief that if this bill should be enacted into law it would result in a great increase in strikes throughout the country. What then must be done? It is said that this is not a no-strike bill. I agree. Nevertheless it could be used to break unions. We have not yet devised any scheme—and neither would this bill nor any out-and-out no-strike bill do so—in this country to compel American workers to continue to work when they believe they are being imposed upon, and that a great injustice is being done to them.

Mr. President, I believe that I can predict some of the things which will happen if this measure becomes law. The law will be used by a minority of employers—while they may represent a minority they can still cause a great deal of trouble—to obtain a freeze order and then transgress the legitimate rights of organized labor within their plants. We have heard a great deal said about strikes during the war, but in most instances there was a mutuality of responsibility in connection with those strikes; the employers cannot escape their fair share of responsibility for most strikes. There is no justification for labor striking even because of provocation, but the fact remains that, under the so-called no-strike, no-lockout agreement, too many employers have provoked labor. That is why, time after time, decisions of the War Labor Board in connection with strikes were unanimous in insisting that employers desist from certain antilabor practices which were provocative of strikes. We never condoned strikes. But if this bill is enacted into law some employers of the country will obtain a freeze order and we shall observe to what lengths they will go in order to injure the legitimate interests of labor. I think it is to the everlasting credit of American industry in general that it is protesting against the enactment of this measure. The great industrial statesmen of America know that their future security is not to be found in legislation which will create instead of present labor disturbances. Rather,

I think they are going to find that the great principles of the so-called American labor code point the way under a voluntary system of employer-labor relations to a type of procedure which will be necessary if American management, too, is to protect itself from economic regimentation. No, it is not an anti-strike bill, but it will not be conducive to labor peace.

What will be another result of the bill? Another result will be the establishment of freezes in certain plants to the advantage at least in the opinion of labor, of the owners of such plants, from which advantage they will reap mercenary profits.

I do not agree with the distinguished Senator from North Dakota [Mr. LANGER] in all of the comments he made, but if we are to have a form of universal service act, I think it is very unfortunate that we do not go all the way, unless this is merely the first step in reaching the ultimate goal of regimentation. If we ever have a universal service act in the sense which has been discussed on the floor of the Senate, namely, that we will conscript all wealth and all labor under the guise that is necessary for a successful prosecution of the war, then we ought also to be willing to admit that the day that is done we will have lost the peace at home even though we may have won the war abroad. No, this bill cannot be justified on the ground that it will produce more goods, but it should be criticized on the ground that it will seriously interfere with war production.

We have had a little experience with labor freezes during the war. True, they did not have the same enforcement power behind them that this bill gives the Director of War Mobilization, but we have had some experiences with it in the lumber industry in the Pacific Northwest. It did not do the job. It created much dissension in the ranks of labor and industry, and it was not very long before the Manpower Commission returned to the open voluntary procedure for getting men into the lumber industry. As many employers told me, it does not do any good to refuse to give a man a certificate of availability if he insists on one. Tell him that he is frozen to his job and he will say, "Who is going to freeze me to a job?" Unwilling workers are not productive workers. Proponents of this bill can wrap the flag around themselves, they can make all the emotional appeals to patriotism they may care to make, but when an individual is confronted in a dispute with his employer on the issue whether or not he can or cannot leave his job, then, rightly or wrongly, there will be many workers who will say, "We will test that freeze."

That is what I mean when I say that the pending bill, if passed, will bring about an interference with war production rather than be an aid to it. We saw it in the lumber industry. It did not work there, and I predict that it will not work if adopted as a national policy on a compulsory basis.

I am sorry that so frequently during the course of the debate there have been, by implication, challenges to the patriotism of men, depending upon which side of this issue they stand. I certainly

make no such challenge. I have no question of the patriotism of every Member of this body, irrespective of how he may vote; but, as I said early in my remarks, I think it is most unfortunate that any question is raised with regard to whether a stand on this bill constitutes in effect a stand for the support or the nonsupport of our military forces.

It might be said in passing that it has been my observation that our military forces do not wave the flag; they plant it in defense of American liberty, and I think there should be less flag waving at home and more planting of the flag in the defense of American liberties here at home. I feel, as we come to vote on the conference report, that each one of us will be called upon to make a decision as to whether he favors an extension of executive power at the cost of legislative power. It is an extremely important principle of liberty.

I should like now to comment on two statements made by the distinguished Senator from Vermont [Mr. AUSTIN] in his remarks the other day in regard to the safeguards which are to be found in the pending conference report bill. As I recall, the essence of his remarks was to the effect that there is adequate protection provided in the bill to check the Director of War Mobilization if he seeks to exceed his authority. I listened to the remarks of the Senator from Vermont and then I read them at a later date, but I have failed to find any safeguards which would check the abuse of power to which I have objected in my remarks this afternoon.

Now, Mr. President, with the assistance of the chairman of the conference committee I should like briefly to discuss some of the differences between the bill as passed by the Senate and the bill brought back to the Senate by the conference report.

As I understand, the primary difference between the conference report bill and the bill as originally passed by the Senate is to be found in section 5 of the conference bill. Let me call the attention of the Senate to section 5 of the conference report bill in contrast with section 4 (b) of the bill as passed by the Senate.

The conference report bill reads, to the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act. Whereas section 4 (b) of the Senate bill read, "to the extent necessary to carry out the purposes and meaning." For my information, I should like to ask the Senator from Utah [Mr. THOMAS] to tell us if the use of the language "to the extent deemed by the Director to be necessary" has any significance as contrasted with the language "to the extent necessary to carry out the purposes and meaning," as set forth in the Senate bill.

Mr. THOMAS of Utah. Mr. President, I think that, excepting for a strained legal interpretation, which did not come into our discussion in conference at all, there is no significant difference. I realize that the Senator from Oregon is probably thinking of a contrast between

the two wordings as if he were pleading a case in court. No; the conference did not argue at all, as I remember, upon that point.

Mr. MORSE. The Senator has exactly in mind my concern, that is, assuming that we may get into court as a result of some of the actions of the Director of War Mobilization under the act, the congressional intent as to the extent of the powers granted becomes a very important question.

Mr. THOMAS of Utah. There is no doubt about that. If the bill should find itself in court, and if, for example, attorneys taking their respective sides were arguing the question, there is no doubt that the point raised by the Senator from Oregon would be important, but the conference did not consider that subject.

Mr. MORSE. Mr. President, that illustrates, of course, one of my great fears. Would that I were not fearful of abuse of power, but I think it is quite a different thing to grant to an agency power to the extent necessary to carry out the purpose, and to grant to the Director of the agency power to the extent that he deems it necessary.

Mr. THOMAS of Utah. Mr. President—

The PRESIDING OFFICER (Mr. TAYLOR in the chair). Does the Senator from Oregon yield to the Senator from Utah?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I think that in relation to the argument which the Senator is making one should take into consideration the great fundamentals behind the powers of Congress and the powers of the Executive, and war powers. One should also take into consideration the great grants made by the Congress, being the war policy-forming branch of our Government, and the President, being the great "war carrying out" branch of our Government, if I may use language not taken from the textbooks or the lawbooks. If he will do so, I think the Senator will have his fears removed on this particular point, if he realizes the tremendous powers which have already been granted, and which it has been deemed the President would have as Commander in Chief, especially since the Civil War time, when these cases got into court after the war on the powers which President Lincoln had assumed. He cannot start a war, he cannot lay down policy for a war, but Congress leaves to him the carrying on of the war. So Congress, without any restraint on the words, has said to the President this—and this is from the War Powers Act, which in a sense was our guide, not for words, but for theory:

Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export the President may allocate such material or facilities in such manner, and upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense.

Of course, the grant in the declaration of war given the President is an all-out grant; that is, the Congress of the United States, in its full right, pledged not only the lives of Americans but their property. So that it would seem to me that in discussing the bill, while there are differences between a wording here and a wording there, there is no difference in the minds of the Senate when it is granting the powers in the wordings employed.

Then, too, we must consider the termination provided in the act, which is so absolute and so complete, in spite of the fact that our Director of War Mobilization and Reconversion, who seemed to feel that the bill was lacking for peacetime, failed to read the terminal facilities written into the bill. I think that in defense of the conference committee we should say that this is a wartime act entirely and completely, and not only that, but that it was never intended and never could be intended for general application over the hundred and thirty-odd million people of the United States.

I know the Senator will not be put out when I say that every witness who testified stated that the bill was needed to take care of particular conditions in particular places, and that it would never have general application. In spite of that, the Senator's argument is logical, it is right, it is in keeping with what we are doing, but at the same time I ask him to consider the great grants which have been made, and to consider the fundamental necessity in government itself of leaving the execution of war, the carrying out of war, to the Commander in Chief, and I would appeal to him not to be frightened with the grants made, because we have made tremendously greater ones in the past, and we will continue to make them as long as we exist as a nation.

Mr. MORSE. I thank the Senator from Utah, and I assure him I find it a very unhappy situation for me to be in disagreement with him. At a distance I have really been a student of his, and have marveled at the great statesmanship he has given to this country as a Member of the Senate in handling industrial relations problems before and during the war.

Mr. THOMAS of Utah. I thank the Senator from Oregon.

Mr. MORSE. I do disagree with the Senator fundamentally as to the necessity for the bill. I am aware of the fact that the testimony to which he alludes is in the record, and I have read the testimony, but it is testimony which is grossly lacking in adequate factual support. Much of it is in the form of allegations. Little of it is backed up by support in the way of evidence and, so far as I know, there is no satisfactory rebuttal testimony in the reports before the committee to the effect that the bill which the Senate passed would not work. If the Senate bill would work—and I have yet to hear any evidence that would convince me that it would not work—then we certainly do not need the drastic power which the conference committee proposes in this bill. We should not enact it in the absence of clear and

preponderant evidence that it is necessary.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I must ask the Senator to yield on that point, because no one worked harder for the Senate bill than did the chairman of the Senate Committee on Military Affairs. But there comes a time always when conferences enter a conference and have to bring about a meeting of minds; and that has been done in this case. If the Senator will ask us to point out how much of the Senate bill is in the conference report, we can show him that in much of the theory and the provisions for administration the Senate bill dominates the whole of the conference report. On the other hand, with respect to the differences which exist, the Senator's arguments are valid and proper, and no one can successfully gainsay them.

Mr. President, I think we are back again to the big question which the Senator himself has passed upon in handing down decisions in cases which came before him when he was a member of the War Labor Board. In those decisions he has pointed out strongly and well the powers of the President in wartime, and the need for action that has been taken. The Senator's decisions have contained most convincing arguments in defense of the War Labor Board. No one has taken a firmer position than the Senator has in carrying out what I think has been the will of the American people. In his decisions the Senator has followed the great philosophy respecting the war powers laid down in the Milligan case, which was decided after the President had acted and after the war was over, at a time when sober judgment could be passed upon the constitutionality of the powers exercised by the President, and the differences between the powers of Congress and those of the President. In reading some of the decisions handed down by the Senator from Oregon when he was a member of the War Labor Board, I am sure he was guided by the philosophy of the Milligan case more than anything else, because he was able at all times, and he did at all times, point out the great distinction between the powers of the Executive and the powers of Congress respecting the making of war and the carrying on of a war.

In spite of the fact that I personally would much rather be pleading for the Senate bill, and would much rather have the House recede and give us the Senate bill, I would have been happy if the House of Representatives had voted upon the Senate bill, and we had had the decision of the House upon it. But, as the Senator knows, the House did not vote on it, and we find ourselves with the conference report. We have done the best we could. Even though we find differences in wording between the various measures, I do not think the pending measure is in the least inconsistent with our great fundamentals, from the constitutional standpoint and from the legal standpoint. This is an American act. It is not an act which is going to turn

our people into slaves. It is an act which gives to the President the power to carry through and carry on and execute the will of Congress and the will of the people of the United States to the successful culmination of the war. The war powers grant must of necessity be a grant successfully to carry on the war, and to use every medium consistent with law and consistent with the Constitution and consistent with the oath which all of us have taken, to bring about the defeat of the enemy. That is what the President's war powers mean, as I understand them.

Mr. MORSE. Mr. President, I thank the Senator very much for his observations. They make me very happy in that they make clear to me that so far as the Senator's choice is concerned he agrees with me that the bill passed by the Senate and the principles inculcated in it are to be preferred to the bill recommended to us by the conference committee. It seems to me that marks a very important point in this discussion. If the principles of the Senate bill are to be preferred, then I think our obligation is to defeat the conference bill and adopt the motion of the Senator from Wyoming [Mr. O'MAHONEY] to recommit the issue to the conference committee for further recommendation.

It is easy to say that one does not think that the bill could repass the House if resubmitted in its present form. That would be to discuss factors that none of us could determine for a certainty. Yet it is interesting to note that a good many Members of the House, several of whom voted for the bill, have told me since the House passed the bill that if they had another chance at it they would not vote for it. They felt that it was speeded through the House at such a rapid rate that if they had another chance at it they would vote against it. Hence I think that so far as parliamentary procedure is concerned, if what the Senator from Utah says is true, and I believe it is, that the Senate bill is to be preferred to the conference bill, we ought to vote the conference bill down and then have it recommitted for further study and report.

Now in regard to the comments made by the Senator from Utah concerning the war powers of the President. I had not intended to mention that subject for I thought the personal reference might be misinterpreted. The Senator is quite correct when he says that as a member of the War Labor Board I wrote most of the decisions, if not all the decisions of the Board on the issue of the war powers of the President. I took a position in regard to the war powers of the President yet to be passed upon by the Supreme Court of the United States. I handed down a decision on the war powers of the President in the great Little Steel case in which I said in effect that in the absence of any congressional act, Congress not having seen fit to set up the War Labor Board, but having left it to the President to set it up by Executive order, the President, who under our Constitution, in my judgment, does have exceedingly broad powers with which to prosecute a war, had the power to create the War Labor Board. My decision holds

that the war powers of the President are broad enough to support the jurisdiction of the W. L. B. Its jurisdiction, as you know, was challenged by the steel companies in that case. I held further that the President had the power to carry out the decisions of the W. L. B. at least until such time as the Supreme Court ruled to the contrary. All my decisions on the war powers of the President—and this is the vital point—rest upon the criterion that the exercise of a particular power in a particular case is necessary under the law of national necessity. It is a question of fact. That is why it is an issue subject in the last analysis to judicial review.

The President, in my judgment, under his war powers, has the power in waging war to do anything on the military and the home front dictated by the law of national necessity. And until the Supreme Court of the United States rules for the first time in our history as to the limits of the law of national necessity, no one in this country can tell how far the President can go under his war powers. But I am satisfied that he cannot go any further than is necessary in carrying out his war powers under national necessity created by the war. In applying that rule to this measure I fail to find even substantial evidence, let alone a preponderance of evidence in the record of this debate that supports a finding that the facts concerning war production warrant granting such broad and sweeping powers to the Director of War Mobilization.

If a power is subject to abuse, or if a procedure is subject to abuse, I believe it is the obligation of the legislative branch of Government to check the danger of the abuse. I cannot go along with the bill because I cannot read it without seeing in it tremendous power being vested in one man. I believe that we ought to check it. I believe that we made some headway under the Senate bill in the direction of checking it; but we do not have in the bill as it comes from conference the checks which we had in the Senate bill, so far as appeal procedures are concerned. Under the Senate bill the Chairman of the War Manpower Commission was to do the work. He was the one who was to make the surveys, fix the ceilings, and issue rules, regulations, and orders to carry out the purposes of the act.

The Senate, with the utmost courtesy, acceded to an amendment which I proposed at the time the powers under the Senate bill were before us for consideration. That amendment provided that the tribunal which should pass judgment upon the powers of the War Manpower Commission should not be a tribunal appointed by the Chairman of the War Manpower Commission to pass judgment upon the reasonableness of the acts of the appointing authority. I argued that the appeal procedure, at least, ought to be transferred to another administrative agency. I proposed a transfer to the Director of War Mobilization and Reconversion. The Senate accepted my amendment.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I think I should remark that the conference committee was conscious of the amendment offered by the Senator from Oregon and accepted by the Senate. Mention was made of the fact that in the transfer from the Director of the War Manpower Commission to the Director of War Mobilization and Reconversion, it would be necessary, of course, to leave in the Director appeal power; but it should be pointed out that under the terms of the bill as reported by the conferees, the Director is to call upon other agencies. It is not only rational, but proper, to believe that the agency which would be called upon to establish ceilings would be the War Manpower Commission. The War Manpower Commission would establish ceilings under the direction of the Director, and the Director would be under the direction of the President. At the same time, the Director of War Mobilization and Reconversion would appoint the appeal board. There would be two different institutions. So in spite of the fact that in the bill which is before us today there seems not to be respect for the Senator's amendment, in practice and in administration there would be respect for it.

I am glad that the Senator has brought up this point, because it was my intention, when I presented the conference report in the first instance, to call attention to the appeal provision and show that, due to the way in which the bill was rewritten, wherein we placed the over-all director of all the branches in charge of the administration of the act, it might seem that we had overlooked the question of appeal in accordance with the Senator's amendment; but in practice the Senator's theory would be followed.

Mr. MORSE. Mr. President, I understand the Senator's explanation; but the fact remains that the Director of War Mobilization and Reconversion would have the power to exercise, shall we say, original jurisdiction in all these matters. He would not have to call upon any other agency. He would have the power to exercise original jurisdiction if he should care to do so.

Mr. THOMAS of Utah. That, of course, is true; but that is not the way things work in our Government. If, for example, the Director of War Mobilization and Reconversion should try to establish an institution of his own, when a war manpower institution already existed, the Senator knows what the Appropriations Committee of Congress would do in that regard. We have been operating for 150 years, and in that time we have learned that the check system works thoroughly. Under those circumstances I do not believe that the dangers which the Senator fears are real dangers, because if an effort were made to duplicate the War Manpower Commission, appropriations would be required.

Mr. MORSE. Under the provisions of this bill the Director of War Mobilization and Reconversion would not have

to establish any agency or set up any personnel to exercise on his own account what would amount to dictatorial judgment. When the Senator refers to how the Government works I cannot refrain from saying that there have been instances in which men in such positions as that of Director of War Mobilization and Reconversion have exercised their judgment, and have said, in effect, "This is the way it is to be." I want the reasonableness of those judgments passed upon by men who are not appointed by the Director to pass judgment upon his own opinions. In my judgment this represents a fundamental weakness in the bill. As I stated earlier in my remarks, we should develop at a very early date administrative tribunals to pass judgment upon the reasonableness of the acts of executive officers. The members of such tribunals should not owe a job obligation to executive officers whose acts come before them for review.

In my judgment we cannot pass over the procedural weakness of the bill by saying that in practice the power would be delegated administratively to other agencies. In my judgment what would happen would be that many of the decisions would be dictated by the Director of War Mobilization and Reconversion—I care not who he might be—because, given the great responsibility which the bill would place upon the office, it is only natural, men being human, that to protect themselves they would see to it that they themselves passed judgment on the great issues. It is the judgments upon the great issues which I believe entitle the people of this country to protection from the exercise of arbitrary power.

Mr. THOMAS of Utah. Mr. President, will the Senator further yield for a question?

Mr. MORSE. I yield. I am about to conclude.

Mr. THOMAS of Utah. The Senator from Oregon is making a great plea for the Senate bill, and I appreciate that. I am wondering if he can suggest how we might get the Senate bill, which was passed by such a large majority in the Senate, before Congress for its consideration. The Senator will remember that the Senator from Wyoming [Mr. O'MAHONEY], at the beginning of the discussion asked the Chair if it would be in order to send the conference report back to the conferees, so that the House of Representatives, which did not vote upon the Senate bill, might do so. The Chair ruled that it would be necessary to vote on the conference report first, that there must be action on the conference report. Can the Senator contribute in any way to a parliamentary situation whereby we could bring about a condition which would result in the House of Representatives voting upon or passing judgment upon the Senate bill? The bill passed the Senate with such a large majority that I should very much like to see the House have an opportunity to consider it. That is our big problem. If the Senator has any ideas along that line, or if any other Senator has any ideas which might be helpful to that end, the chairman of the Committee on Military Affairs would like to hear them.

Mr. MORSE. Mr. President, the Senator from Utah flatters me by suggesting that I might have an idea how this great body could proceed parliamentarily to get through Congress the bill which ought to be passed. Let me say that I have great confidence in the Senator from Utah and in the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]. If the conference report should be voted down, and the bill sent back to conference, I am confident that those two leaders on the other side of the aisle would at least see to it that a full hearing was obtained in the House on the merits of the Senate bill.

I am satisfied that if we can just get the Senate bill reconsidered in the House, it will pass, because I think the House, too, has heard from the country.

I said I was about to close, although perhaps at a later time I shall add a comment or two during the debate. However, I cannot close without calling attention to a statement made by the President with which I find myself in complete disagreement. In issuing a statement on the bill he said:

The manpower situation is still serious. In the days ahead of us there will be great temptation for workers to leave war plants. The failure to enact legislation will make the successful conduct of the war even more difficult.

If the conference report is adopted, the Congress will have discharged its duty, and the responsibility for effectively and fairly handling the manpower situation will be placed squarely in the executive branch.

Mr. President, I must seriously quarrel with the observation that by adopting the conference report the Congress will have performed its duty. I think it will have performed a great disservice to this Nation if it adopts the report. If there is a manpower problem such as is indicated by the President's statement, if there is danger that workers will leave the plants, then I think that danger can be averted if the President will proceed to call representatives of industry, labor, and agriculture together at once, and get them to proceed on a voluntary and cooperative basis to carry out the principles of the Senate bill. That bill maintains the maximum amount of the exercise of individual choice compatible with the successful prosecution of the war. In my judgment, it preserves one of the basic liberties for which I think we are fighting. It saves us from adopting totalitarian methods as an instrument for winning the war, and it saves us from losing the peace at home.

I should like to close with the following summary statements:

First. My major premise is that there is nothing in the record to date to show that adoption of the conference report is necessary.

Second. There is nothing in the record, in my judgment, which supports the conclusion that the Senate bill will not do the job. We have from the chairman of the committee on conference the statement that if he were free to make a choice at this stage of the parliamentary proceedings, he would prefer the Senate bill. His observation carries great weight with me and convinces me all the

more that the conference report should be rejected.

Third. This conference report should be voted down because if it is adopted it will create disunity in America at a time when we need the greatest possible amount of unity.

In my judgment the pending measure, if enacted, will injure the confidence of millions of Americans—whether rightly or wrongly is immaterial now—in the good faith of this administration.

I need make no apologies for the stand I have taken in support of many of the social objectives of this administration, but I am going to insist that social objectives be attained and established under our representative form of government. It is the function of the judicial branch of Government to check abusive action on the part of the executive branch and legislative branches. The pending measure frightens me because I think it will feed the ammunition to those who are endeavoring to breed disunity in America today by raising the cry "the administration seeks to take over the economy of this country." I do not so charge, but I do charge that it proposes a procedure which makes it possible. Let me say that we cannot separate our substantive rights from our procedural rights. Men constantly are talking about deciding things on their merits and deciding things on the facts irrespective of procedure. Let me tell you that usually when they make such arguments and when at the same time they say, "Do not pay any attention to how we do it or to the procedure whereby we accomplish our end; let us get it done," those men overlook the importance of the observation that the substantive rights of every American are dependent upon his procedural rights.

If we allow the development of a procedure which will permit dictation by agencies or branches of the executive arm of Government without proper control against abuses, then in my judgment we shall have started down the road which leads to the development of an all-powerful executive branch at the expense of the legislative and judicial functions of representative government. My plea as a freshman Senator to you who know so much more about government than I do is that the Senate keep its ear to the ground in regard to the tumult that will be created if the Senate of the United States today places its stamp of approval upon the exercise of arbitrary, discretionary, and unchecked power by the Director of War Mobilization, whoever he may be. War production does not require it. The law of national necessity does not justify it.

Mr. SMITH. Mr. President, I rise to say a word in behalf of the conference report. I do so with great hesitation, because I should like to say to the distinguished junior Senator from Oregon who has just spoken that I believe he has presented to the Senate of the United States in the most effective way I have heard in a long time, some of the vital issues which are involved in the present controversy. I yield to no one in agreeing with him as to the dangers to representative government of one-man control, the dangers of using the war emer-

gency as an excuse for doing things which will lead us down the wrong road in the future. But, Mr. President, we are in the midst of a great war and I am troubled by the fact that if we reject the conference report we may be offering no alternative. If the conference report is rejected, I fear that there will be no manpower legislation.

I give the greatest credit to the senior Senator from Wyoming [Mr. O'MAHONEY] and the senior Senator from West Virginia [Mr. KILGORE] for the bill they introduced, and on which we previously acted. I voted with enthusiasm for that bill and for the so-called Revercomb amendments, which, however, were not adopted. The conference between the House and Senate has made certain suggested changes. In the few remarks which I shall make I shall attempt to indicate why I do not think those changes are serious. The decision is a difficult one for me, because fundamentally I agree with my friend the junior Senator from Oregon regarding the basic principles he has stated. I wish to say that in determining my own position on the pending measure, I give credit to the good faith and sincerity of other Members of this body who may arrive at a different conclusion from mine. There is no monopoly anywhere on patriotism. Every Senator who has spoken on this measure has convinced me of his patriotism. It has made no difference whether he was for or against the bill. I recall the words spoken the other day by the distinguished senior Senator from Michigan [Mr. VANDENBERG] who said that he sincerely believed that if he voted against the bill he would thereby aid the cause of production rather than curtail it. The Senator from Oregon has just made the same point. It is a matter of individual opinion as to which is the more effective method.

I am glad that no partisanship is involved in this debate. I have heard Senators on both sides of the aisle speak for and against the conference report.

I do not agree with the statement of the Senator from Oregon that the adoption of the conference report would be likely to result in destroying our national unity. I personally think the reverse would be true. I believe that the enactment of this legislation would tend to make our attitude toward war production more consistent and would strengthen our national unity.

I have entertained grave doubts as to how I should vote in this matter. I have come to the conclusion that a mistake which was made from the beginning in debating this manpower bill was in the use of some of the expressions in describing it. I have heard the expression "work-or-go-to-jail bill." Sending people to jail is not our objective. I have also heard the expression "work-or-fight bill." I have heard the expression "slave labor," which is obviously ridiculous. I do not believe any of these to be proper expressions. I yield to no one in my tribute to the magnificent management-labor production which has been achieved in this war without the necessity of compulsion. However, Mr. President, that is not the issue before us. If we pass this bill, we shall not be

casting any reflection on management and labor. If I thought differently, I would vote against the bill.

The issue before us is simply: What is the most orderly procedure which will bring about a full program of work and fight—not work or fight—in order to finish the war? This bill suggests a procedure which is orderly and easily understood. The debate has been confused by our overlooking the fact that we are in the midst of war and are not dealing with peacetime conditions. What the Senator from Oregon said applied absolutely to peace conditions. I agree with him, and he will have my complete support in applying his principles to a peacetime economy.

But fellow Senators, we are at war. Through this bill we are asking for certain simple things. Why? Because those on whom we have placed responsibilities for waging the war, such as officials in our War Department, and of our Navy Department, as well as the Chiefs of Staff, have stated that certain essential war needs must be met. They have stated that dangers have existed in the hoarding of labor and in the misapplication of labor. They have told us that as soon as peace is declared in Europe many will leave the plants in which they are working and seek employment in other industries. This bill provides a procedure to enable those who are patriotic and want to cooperate to continue in their employment, and only penalizes those who may willfully try to take a selfish advantage of the situation.

Mr. President, I feel that the provisions for so-called freezing jobs, and the provisions for establishing ceilings on manpower are reasonable steps to be taken in insuring continued war production.

Furthermore, I like the provisions in the bill for surveys to be made in Army and Navy plants, and in private industries to determine our war-manpower uses.

I wish to point out another feature of the bill. We have all heard of the need for more food. By adopting the revised Tydings amendment, which is incorporated in the conference report, we shall be protecting labor on the farms from being drawn away from this essential industry. Even if the conference report is not adopted we should pass legislation embodying this important principle.

Mr. President I cannot emphasize too strongly that the bill itself provides a fixed date of termination. The termination date is slightly over a year from today. Today is the 2d of April. The termination of these broad war powers is the 30th of June 1946. In the original bill provision was made for termination of the law upon the declaration of peace. It is obvious that such drastic powers as those provided in this bill should terminate upon a fixed date and not depend upon the uncertainties of a formal peace declaration. The philosophy of the bill has been attacked. Again I remind those who attack it that we must consider the difference between war conditions and peace conditions. The Selective Service Act contains provisions similar to some of those contained in the bill now before the Senate. Do we consider that our

young men who have been and are being drafted under the Selective Service Act are less patriotic because we told them they must go into the armed forces and prepare to fight? Can we look upon our soldiers who are fighting in Germany today and say that they are fighting in slave armies? Of course not. We would not even think of such a thing. Our eyes have been blinded by conflicting statements of the purpose of this measure. The Selective Service Act is an orderly procedure for building an army and a navy, and the measure now pending is designed similarly to insure continued production of necessary war materials.

As we approach the culmination of hostilities in Europe and prepare to carry the war forward against Japan it is essential that there be no slowing up of the entire operation. By the enactment of this measure production will be carried on by cooperation between management and labor as it has been carried on in the past. This measure provides merely for an orderly procedure of channeling men into the plants where they are needed and to keep them from stampeding into other plants, a movement which might well impede the war effort.

What are the objections made to the bill? Objection has been made to placing power in the hands of one man. Of course, we would object to this in peacetime, but we are at war. It has been said that management and labor should not be required to have supervision of war industries placed in the hands of one man, implying that production will be taken away from management and labor. I am unable to find anything in the bill that says that the Government or the War or Navy Departments will operate the plants; they will still be operated by management and labor as they have in the past.

It has been said that production is improving. Therefore it has been argued that we do not need the bill. Mr. Byrnes' report of yesterday stated that conditions were much improved. My own opinion is that, in spite of the fact that production is improving and we are about to move from victory in Europe to the war in Japan, now is the proper time for the orderly procedure which the bill calls for. It has been said that the war is about over. I think we all know that we have many real problems ahead of us before we win the war against Japan. One war is ending, but the other war is still in progress. The great danger ahead is the confusion which faces us in the immediate future because of the change in the war situation.

Mr. President, what about penalties? They seem to be summed up in one small paragraph. It is section 5 (b), which reads as follows:

Whoever willfully violates the provisions of any regulation made under subsection (a) —

Referring to ceiling and freezes —

shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment of not more than 12 months or by a fine not exceeding \$10,000, or both.

This is the usual penalty clause in all of our war legislation.

And let me emphasize the words "willfully violates." I do not anticipate there will ever be any need to impose penalties under this proposed act. I feel that the penalty provisions can be defended, although I was originally opposed to them, and voted to support the Senate bill. I feel that they can be defended on the ground that they protect honest co-operators against willful, selfish chisellers. I think we will all agree that when our Nation is mobilized in time of war and we are calling upon everybody to do his share, we are justified in saying to those few who will not co-operate, "Very well, you will have to take the consequences." That is the only place I can see where the penalties are going to operate. The workingman will be aided and protected in contributing his share to the all-out war effort.

Therefore, I find myself supporting the conference report. We are in a desperate war; if we can only get our minds off such expressions as "slave labor," "drafted labor," and "work or go to jail," and the other compulsory ideas, and get them on the idea of an orderly procedure to prevent chaotic conditions, to move us toward a right kind of solution of the problem which will face us, on VE-day and VJ-day, to help those who want patriotically to cooperate, then I find I am in a positive, not a negative, mood, a mood where I see that the unity of our country will be fostered by the all-out over-all equal pull of everybody. Then we can sincerely give a vote of confidence to our War Department, to our Navy Department, to our Chief of Staff General Marshall, and to our Chief of Naval Operations Admiral King. I believe that this is the important psychology today for the unity of our country. This will be my sincere vote.

Mr. JOHNSON of Colorado and Mr. BURTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I desire briefly to discuss the conference report and the original Senate bill. It seems to me that some of the debate has been unfair to the conferees and to the conference report. When a conference is brought about and conferees are appointed to attend the conference, it is for the purpose of working out the differences between the two Houses.

Mr. President, I understand the Senator from Ohio has to make a 5 o'clock train, and I will yield to him.

Mr. BURTON. I will ask the Senator to proceed. I have decided not to take the train.

Mr. JOHNSON of Colorado. Very well. I did not want to take the floor away from the Senator from Ohio.

Mr. President, the House passed one bill on manpower, and the Senate passed another. They were as far apart as the two poles; they were entirely different, and they produced this highly controversial and very difficult problem. Conferees were appointed. I asked that I be not named on the conference committee; I did not want to be on it because I knew the difficulties that would confront the conferees; but I was named, nevertheless, and I did my very best to have returned

to the Senate a bill as nearly like the Senate version as it was possible to bring out of the conference.

We sat in conference for 5 days, the Senate conferees on one side of the table and the House conferees on the other. We tried in every way we could to work out a basis of agreement. None seemed possible. The House stuck to its position, and the Senate stuck to its. There was a stalemate if ever there was one. Then the Senator from Vermont [Mr. AUSTIN], who is a most resourceful and able gentleman, brought forth the only kind of approach to this problem which was possible. It is not possible to ride a horse in two different directions at the same time; so the Senator from Vermont, although he did not use that expression, got two horses, the Senate horse and the House horse; he teamed them and tied them together and brought forth a bill containing all the Senate provisions and all of the House provisions, and with that approach the conference finally got underway. We considered it back and forth for a day or two, and finally I made a motion.

I have noticed in the press that I have been charged as being the author and sponsor of the compromise bill which is now before the Senate. I wish to say that I did not write one word of the bill. I did not even write a comma or a semicolon or a period or dot an "i" or cross a "t" of the original Senate bill or of the bill that was finally agreed upon by the two Houses. If I am the author of the conference report, if I am its sponsor, it would seem to me that I should have taken a more active part in drafting its provisions.

The Senator from Wyoming [Mr. O'MAHONEY] and the Senator from West Virginia [Mr. KILGORE] and the Senator from Michigan [Mr. FERGUSON] are the authors of the original Senate bill. Subsequently, of course, it was changed to some extent on the floor of the Senate, but they are the authors of that bill and not the Senator from Colorado.

What is my crime? What is it that I have done with respect to the conference report? Merely this: When the House bill and the Senate bill, tied into one bill, were before the conferees, I made a motion in conference that every provision in the combined bill relating to the drafting of individuals be eliminated and deleted. I was surprised when the House conferees accepted that proposal. I was surprised because they had been fighting for many days, and they seemed to be wedded to the idea that we must have a draft of labor in whatever bill was brought forth. They accepted it so quickly that I began to look under the seat to see what was there. It occurred to me that perhaps it was an antistrike bill, and so I asked the conferees. We had with us the legislative counsel of the House and the legislative counsel of the Senate. I asked the conferees whether or not it was an antistrike bill and whether or not under the provisions of the conference report, upon which we had almost agreed, if the pending strike of the coal miners, about which we have heard so much, should take place the miners could be punished by a year in

jail and a fine of \$10,000, if they went out on strike. I was assured by the lawyer members of the conference, and I was assured by the counsel, that this was in no manner, way or means an anti-strike bill, that it could not be used for that purpose. So I was satisfied, and I signed the report.

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. JOHNSON of Colorado. I gladly yield.

Mr. CORDON. Referring for a moment to the statement the Senator from Colorado has just made, that the counsel assured him and the conference committee that this was not an anti-strike bill, that there was nothing in it which could prohibit men from striking, are we not face to face with the fact as to the legal effect of the conference bill, that, if it shall be enacted, it will require men to stay on the pay rolls, but there is nothing in the wide world in it which will require them to do any work?

Mr. JOHNSON of Colorado. That is a point which I am not capable of discussing. The language speaks for itself. It provides for a freeze, and if a man violates the freeze and is to be penalized under the language of the conference report, criminal action must be brought against him in court, the case must be submitted to a jury, and if he is found guilty of willfully—the word “willfully” is used—and voluntarily quitting his employment in a plant which has been frozen, I suppose the judge would assess some penalty upon him.

I am unable to make any separation between an individual voluntarily quitting his job and laborers quitting en masse—group quitting. I cannot make a distinction between giving up a job voluntarily as in individual, and giving up a job voluntarily as a member of a group. But the lawyers contended that in the case where a group go out on strike, they are not quitting their employment.

Mr. CORDON. Will the Senator from Colorado yield further?

Mr. JOHNSON of Colorado. I yield.

Mr. CORDON. However, we do not need legal talent to enable us to understand that if they go out, for whatever purpose, they are not producing war goods, and are not helping the war effort.

Mr. JOHNSON of Colorado. The differences between the Senate bill, which was passed by an overwhelming vote of 63 for and 16 against, and the conference report, are these: Under the Senate bill the operating agency was to be the Chairman of the War Manpower Commission. Under the conference report the job has been handed to the Director of War Mobilization and Reconversion, the boss of the Chairman of the War Manpower Commission.

I think a mistake was made when that change was adopted. I thought so when we were in conference. I know there is a difference of opinion, but in my judgment the War Manpower Commissioner, Mr. McNutt, has done a magnificent job with the powers he has had. He has tried to operate on the voluntary system and keep the plants going, to provide

labor for the plants, and to shut down nonessential plants so far as it was possible for him to do so. I think he has done fine work, and personally I very much favor the Senate version, giving to the War Manpower Commissioner the power to administer the provisions of the bill.

The War Manpower Commissioner is now operating without the benefit of statute. He is operating by means of directives, and that is not a very effective way to function. That method has produced unfortunate results. It is developing a disrespect for law. Disrespect for the Federal Government is promoted by having officials function without the benefit of statutes. But that is what we have been doing, and Mr. McNutt has gotten his job done by following the voluntary system, and by working without the benefit of statutes.

The House Members of the conference insisted that the Director of War Mobilization and Reconversion be given charge. They argued that provision could be made so that such duties as would fall to the Chairman of the War Manpower Commission might be delegated to him by the Director of War Mobilization and Reconversion; in other words, that the powers under this kind of legislation were so important and so drastic that they should be delegated to the highest possible authority. Their argument sounded reasonable to most of the conferees. I did not agree with it, but I did not have my way, and the bill was rewritten so that the Director of War Mobilization would be the active and operating agency under the bill.

During the course of the debate much has been said about the delegation of authority to the Director, and it has been contended that it is unwise to repose in the Director the power granted to him by the bill and the right to pass on his authority to subordinates. I call attention to the fact that Congress has already written that kind of a provision into the law. We wrote it into the law which created the Office of Director of War Mobilization and Reconversion. In the War Mobilization and Reconversion Act of 1944, to be specific, the important section is section 101 (d), and it contains a delegation of power. I have the language before me, and I shall read it into the RECORD:

To the fullest extent practicable, the Director shall perform the duties imposed upon him through the facilities and personnel of other executive agencies, and for that purpose only he is authorized to delegate to the appropriate agencies and provide for the re-delegation of the powers and duties vested in him, except the power to issue orders and regulations to other executive agencies.

The exemption does not affect the delegation of power which was made under the pending bill.

The following reasons may be advanced for construing this sentence to apply to future functions vested in the Director, as well as to functions vested in him by the act creating his office:

First. The language itself is broad enough to include such future functions.

Second. The sentence is preceded in the same paragraph by administrative provisions of general applicability to the

Director and his functions. Clearly these provisions would apply in the case of future functions vested in the Director. There is no reason to think the authors of the act intended the application of this sentence to be restricted to functions under this particular act any more than in the case of the preceding sentence.

Third. The following sentence is expressly limited by the words “under this act.” This may be said to indicate that when the authors of the act intended to have such a limitation they expressly provided for it, and that where it is not expressly provided for in the act it should not be read in.

Fourth. When an act creates a new administrative agency, there is nothing unusual about including general administrative provisions which are to apply to such functions as may be vested in such agency in the future.

Incidentally it might be noted that the exception from the power to delegate, which appears at the end of the sentence, is limited to “orders and regulations to other executive agencies.” This apparently refers to orders and regulations authorized by section 101 (c) (2) of the act. Apparently the exception would not apply to regulations of the sort authorized by the manpower bill.

The argument falls flat that the bill provides for a new delegation of authority. The Director of War Mobilization already has the authority, under laws which are now on the statute books.

The other additions to the Senate version include the application of the penalty clause in section 5 to all violators, employees and employers. It seems hardly consistent to pass laws and provide that men shall not do certain things without imposing penalties. That is not the practice of the Congress. Whenever we pass a law prohibiting people from doing certain things we always include a penalty for violation of the statute. A penalty clause will be found in every effective law passed by the Congress. So that did not seem to be such a radical departure from regular congressional practice.

Another change is in section 5 (2), which provides for the acceptance of employment by workers. The Senate version read as follows:

To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers—

Then the conferees added—
and the acceptance of employment by workers.

We heard much debate the other day concerning paragraph (2), but the argument came quite late. That language was already written into the bill by the Senate and adopted by a vote of 63 to 16.

Some Senators who took part in the debate turned back to section 2 and found a great deal of complaint with subsection (b), as follows:

(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of

the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort—

A great hullabaloo was raised about clause (4) in the Senate—

and (5) by promoting the maximum utilization by employers of their available work force.

As I have said, Mr. President, the Senate debated that subsection for hours. The debate, however, came late. That is the exact language of the Senate bill. Yet it was debated and some Senators tried to have it eliminated from the conference report, in spite of the fact that the Senate had already adopted the language by an overwhelming vote.

Mr. AIKEN. Mr. President—

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Colorado yield to the Senator from Vermont?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. For a long time there has been in my mind the question. Is there authority in the bill for the Director of War Mobilization to recruit men and women for foreign employment?

Mr. JOHNSON of Colorado. For foreign employment?

Mr. AIKEN. Yes. For instance, for work in north Africa or in the Philippines. The Philippines, of course, would not be a foreign country. But could he recruit men and women for employment in countries outside the United States? I do not see any prohibition of it.

Mr. JOHNSON of Colorado. No; I do not see any prohibition of it either; but if such an authority exists it is contained in the original Senate bill for which the Senator himself voted.

Mr. AIKEN. That is true. And if workers were accepted for foreign service, they could be frozen into their jobs in foreign service, could they not? Of course, it is the conference committee bill which would permit the Director to freeze such workers in foreign service once they were there.

Mr. JOHNSON of Colorado. Paragraph (3) of section 5 is a freeze provision, and that was not in the original Senate bill.

Mr. AIKEN. The original Senate bill provided that the Director could recruit for service at distant places, and pay the workers' expenses in getting to their place of employment, and if they did as they were told while they were there he should pay them their passage home. However, if they did not do the kind of work they were told to do they would be left there, so far as the Director was concerned.

Mr. THOMAS of Utah. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THOMAS of Utah. I think it should be said that the bill could not operate in a place where the United States does not have jurisdiction.

Mr. AIKEN. It would operate in this way, as I remember the wording of the bill—I do not have it before me—that if workers accepted work, we will say, in north Africa, and went there and then

wanted to return home, the Director of War Mobilization could say, "I am not going to pay your fare home, and furthermore you are not going to receive any certificate when you get home." Would not that have the effect of freezing them there?

Mr. THOMAS of Utah. Civilian workers would go out of the country under contract with their employers.

Mr. AIKEN. If the bill is passed, and if the Director of War Mobilization can force men to go from Pennsylvania to California to find work, it might be desirable that he also have authority to tell them that they have to go to the Philippines to work. I was seeking information. It seems to me that such workers could be practically frozen in their work in any part of the world if the Director could once persuade them to go there.

Mr. JOHNSON of Colorado. Mr. President, it seems to me that the Senator's difficulty lies in the fact that he is mixing up recruiting with drafting. Recruiting is not drafting. Recruiting is bargaining with a man. A worker is told that a certain job is available, and he says, "Very well, I will take it." After he takes it, if it is in some kind of essential war work, it is true that the Director, if he thinks it is advisable, can place a freeze on that particular kind of work.

Mr. AIKEN. And he can freeze workers in any part of the world.

Mr. JOHNSON of Colorado. But the acceptance of the work is voluntary. We are not going to draft a man for foreign service. We are not going to take him by the nape of the neck and put him in foreign service and freeze him on the job. The motion of the Senator from Colorado in conference eliminated all that. There is no draft in the bill.

Mr. AIKEN. My question is, If he is once recruited could he be frozen in his job in the Philippines or north Africa or any other part of the world just as he could be in any part of the United States? It appears to me that the provisions of the measure, considered together, which permit the Director to refuse the worker a certificate, or a clean bill of health, or whatever it is when he comes home, and also permit the Director to refuse to pay the worker his fare home would have the result of quite effectively freezing him in any country, whether under the jurisdiction of the United States or not. It is on that subject I wanted to receive information.

Mr. JOHNSON of Colorado. I am sure this statement will satisfy the Senator: The Director has to move through a certain course before he can place a freeze. The bill sets up standards and provides regular channels, and makes provisions for that sort of thing. The Director must find that an area is in bad shape, and must declare it to be in bad shape before he can place a freeze order on it. It is not an automatic thing. Employment in war factories is not automatically frozen. Specific areas are dealt with. Under the provisions of the conference report each area, each plant, may have a freeze placed upon it, so as to take care of the spotty situation which confronts the Nation in regard to unemployment. There is no over-all shortage of workers. The situation is spotty. The

bill provides for a spotty remedy. The Director can place a freeze order on a plant which is extremely essential, which is falling behind with its orders, which is not keeping up. A freeze can be placed on such a plant, and more laborers brought in; but they go in voluntarily.

Mr. AIKEN. If this bill is to be used for post-war purposes, I would expect that there might be a great deal of labor required, for instance, in the Philippines, and I would also say that according to the wording of the bill a man can virtually be frozen there. I still say that I do not know that that is undesirable, but I believe that anyone recruited for such a purpose should be recruited with his eyes open.

Mr. THOMAS of Utah. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THOMAS of Utah. I think we ought to say that this bill does not provide for post-war activities. There is a definite termination date in the bill. It is a war bill, and its effect would terminate even before the end of the war, if the war should last beyond June 30, 1946.

Mr. AIKEN. I was simply going by what the Director of War Mobilization and Reconversion said in his report on Saturday.

Mr. THOMAS of Utah. I hope we shall not have to defend anything more than the bill.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. In that connection, I wish to state that there is nothing in the report of the Director of War Mobilization and Reconversion which by any stretch of the imagination could be interpreted as extending the law beyond the date of termination stated in the bill itself. If I may trespass upon the time of the Senator from Colorado, let me say that we all expect that the war in Europe will be over before the war in Asia is concluded. During the interim between the end of the war in Europe and the end of the war in Asia, there may be a shifting of manpower. Questions of unemployment and the shifting of manpower from one factory to another, if such a thing should take place, would unavoidably have some effect upon the question of reconversion when the war is over; but it would be only an incidental effect.

I do not care what Mr. Byrnes may have said in his report. I read all that was in the newspapers yesterday about it, and I have just now received an official copy of the report. I find nothing in it which in any way attempts to create the impression that the act of Congress itself would not terminate when it says it shall terminate, namely, on June 30, 1946, or sooner if the President should issue a proclamation, or if Congress by concurrent resolution should terminate the act sooner.

So I think we need have no fear about what may happen after June 30, 1946, because if the act is not terminated sooner, it will automatically be terminated then, unless it is extended. Whatever may occur after that will be

incidental. It will not be the primary object of the bill itself.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. The Congress has been very good about extending emergency powers at the request of the President.

Mr. BARKLEY. I should not say that the Congress has been good. I should say it has been wise. It is not a question of goodness. It is a question of wisdom, and almost of compulsion, which is involved in the extension of most of the emergency laws.

Mr. AIKEN. I can see that an act such as this might aid in the reconversion period. I can see also that we might pay a very high price for such aid.

Mr. BARKLEY. It would be purely incidental aid. It would not be the primary object of the bill. No one would advocate this legislation on the ground of reconversion in the post-war period. If it is of any help in that respect, the help will be purely incidental, and because of what may take place in production in our factories prior to the termination of the act on the 1st of July 1946.

If I may trespass further upon the time of the Senator from Colorado, let me say that so far as the recruiting feature of the conference report is concerned, it is just as though there never had been a war, and we had had all over the country recruiting stations for the Army and Navy. In front of every post office there would be a flag, together with a poster of some kind, urging men to "Join the Navy and See the World." However, under those circumstances no one could compel anyone to join the Navy. The recruiting officers would be at their stations to receive applications of men who wanted to enter the service. The recruiting officers would explain in detail what service in the Navy or the Army would entail. The men would enter the service voluntarily. After entering the service, of course, they would be subject to the orders of the Navy Department or the War Department.

The recruiting referred to in the conference report is that sort of recruiting. It involves the acceptance by agencies of the Government of voluntary applications from men who wish to work in factories. There is not a line in the conference report, as I read it, which would enable the Government to send a human being anywhere in the United States from where he now is.

Mr. JOHNSON of Colorado. That is the understanding which we had. It was my motion that all provisions to the contrary be deleted. If the lawyers left any such provision in the bill, they did not do their job properly; and I believe that they did their job properly.

Mr. BARKLEY. As I read the conference report bill, the only basis of the argument as to compulsion revolves around the question of freezing. I am glad that the Senator from Colorado made the explanation that by no stretch of the imagination could there be an over-all freezing of everyone where he is now working.

Let us visualize the situation. Our men fighting all over the world need airplanes, guns, ammunition, and uniforms.

Let us suppose that a certain factory in the United States is making airplanes, and running along smoothly. It may be supplying the demand of the men in the Air Corps. Then, let us suppose that for some reason the workers, either in groups or as individuals, should decide that they would like to get out of the airplane factory and go somewhere else while the going was good and because they desired, in view of the fact that the war was nearly over, to get in on the ground floor of civilian employment.

Mr. JOHNSON of Colorado. And perhaps beat some soldier to a civilian job.

Mr. BARKLEY. And perhaps beat some soldier to a civilian job, because the men in the factory are closer to the job, and can leave. Uncle Sam, through whatever agency is established—either the Director of War Mobilization and Reconversion, the War Manpower Commission, or some other agency—would say to those men, or to a single individual, in the airplane factory, "Hold on. Our boys are still fighting all over the world. They need airplanes. You stay here until the need has been supplied, and there is no longer any doubt about their getting the airplanes which they need. You stay here until that need is supplied." That is all that is meant by freezing. It might not apply to more than one factory in the United States.

Mr. JOHNSON of Colorado. It might not apply to any factory.

Mr. BARKLEY. It might not apply to any factory. It would all depend upon the circumstances.

It would be unthinkable to me that the strong arm of the Government of the United States could take one man on one side of the street, put him in uniform, and send him all over the world to fight, bleed, and die for his country, and yet be powerless to say to a man on the other side of the street, who has not put on a uniform, and who may never do so, "Hold on; do not leave this factory until your buddy on the other side of the ocean has all the airplanes, guns, bombs, ammunition, and everything else that he needs."

It seems to me incredible that our Government should say to the soldier, because he happens to be wearing a uniform and is in an area of danger, that he must take the chance of running short of the necessary supplies, either because we do not have the power or the willingness to say to his neighbor, "You stay in this factory until your buddy on the other side has been supplied."

That is all that freezing means to me. It is just as much a military operation as the fighting of the Battle of the Rhine, or the fighting on Iwo Jima, in Japan, or in China. It is a part of the military movement. It is a part of the resources which we pledged ourselves to make available to our men when we declared war. We said that we would pledge all our resources. That meant not merely copper, coal, and iron, or the wool from a sheep's back; it meant all our resources.

Mr. JOHNSON of Colorado. Including services.

Mr. BARKLEY. It meant human as well as material resources, and included services.

So far as this war is concerned, I do not recognize any difference between the power of the Government to deal with a man who is working on the farm between the plow handles, and who is told, "You must quit plowing and put on a uniform and fight and die, if necessary, in order that other men may continue to plow," and the power of the Government to say to another man who is plowing in the same field, or to a man who is making airplanes, guns, or anything else that the other boy needs, "You must remain at your job so long as our fighting men require the products of your labor." Why should we say to such a man, "You are a free agent; you do not have to make any contribution to the war effort unless you wish to do so"? That is all the conference report would do, as I see it.

The question of compulsion is sort of a nightmare. No one likes compulsion. I do not see in the pending conference report the semblance of involuntary servitude. It is all a part of the war effort; it is all in keeping with the decisions of our highest Court, namely, that Congress not only has the power to declare war but it has the power to do all things necessary to wage successful war. It would be a stupid interpretation of our Constitution for our courts to hold that the Congress can declare war but, after declaring it, cannot do anything toward winning it.

I apologize to the Senator for trespassing on his time.

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator for his contribution.

Let me say that I think the spotty situation which exists relative to manpower problems should be mentioned. If the situation were not spotty but were general, it would be quite easy to pass a law to fit the whole picture, and to make such a law the final answer. It is not possible to do that, because conditions are spotty. Since we do not wish to cause any more distress than is necessary, we provide for the delegation of power which can be exercised in the discretion of the Director of War Mobilization.

Mr. BARKLEY. In the report received within the half-hour—the final report of Mr. Justice Byrnes, who relinquishes his position today—attention is called to the spotty condition, and in that report the statement is made that the condition is not an over-all one, it is not one which prevails everywhere, but it prevails only in certain regions. It is for the purpose of leveling off the situation in those areas that we are undertaking to enact legislation by which we will grant to an agency of government the power to say that if today the number of men working in a certain factory is not sufficient to enable the factory to turn out on schedule what it is expected to turn out, the men shall remain there until the need is met.

Mr. JOHNSON of Colorado. And if such authority is to be granted, we must leave its application to the discretion of someone in whom we have confidence.

Mr. BARKLEY. Of course. We are all human, and we must make allowances for human frailties; but, with all our misgivings about what we call one-

man power and the arbitrary administration of law, it would be infinitely better to give someone the power to determine where the shortages exist than it would be to pass a law freezing everyone everywhere, for fear there might be a shortage somewhere, and, therefore, in order to cover that situation, to apply the law to everyone wherever he worked.

Mr. JOHNSON of Colorado. I thank the Senator for his further observation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. I should like to ask a question. If a man happens to be working in Honolulu or Dakar, could he be frozen to his work there? In other words, could a worker be frozen to one job as well as to another job? I understand he could be.

Mr. JOHNSON of Colorado. The answer is that he could be under certain conditions. The conditions are laid down in the conference report. It would not be automatic by any means. The Director would be required to find that certain things existed, before he could declare a "freeze." But he could declare a "freeze" in areas in which there was a need for essential employees.

Mr. AIKEN. That is what I wished to ascertain.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I wish to make a brief observation and then ask a question.

I know the Senator knows that there are literally thousands of men in war plants today who have been persuaded to stay there, when what they wanted to do all along and what they want to do now is to go into the armed services. I think it is important that we make that point clear in the RECORD, in view of certain innuendos that, at least, one reads about in the newspapers today, namely, that many persons are working in war plants because they do not wish to participate in the military services. Various agencies of government tell us they have had great difficulty in getting men to stay in the war plants because they want to go into the armed services, and because they have wanted to do so since the beginning of the war. For instance, in the aircraft industry, the lumber industry, the copper industry, the railroad industry, mining, and right down the line, there are thousands and thousands of men who do not want to be there, but they have been persuaded to stay there because the Government and the agencies of government have represented to them that that is where they can render their best service in the war effort. I think it is unfortunate for the morale of the country, under the conference report, to say in effect to these workers, "Now we are going to freeze you there; you will have to stay there, because we are afraid that you are not patriotic enough to stay there without being forced to."

I do not know, and I doubt whether the Senator from Colorado knows, of any plant or any industry or any region in which this Government cannot get all

the manpower it needs to do the job, if it will only make its needs known to labor and industry in those regions and in other parts of the country where there is a surplus of manpower. I do not know of any spot in this country where we cannot solve this problem on a cooperative, voluntary basis under the Senate bill. Let me say again in regard to the Senate bill that tremendous powers would be granted under it.

In reference to the so-called nonessential industries, to which the Senator from Kentucky is afraid the men may go in order to get some sort of a priority for post-war jobs, I think the Senator from Colorado will agree that the power to place a ceiling on those industries and the priority powers which now rest in the War Production Board would give the Government, under the Senate bill, all the authority it might need to check the type of abuse to which the distinguished Senator from Kentucky has referred, without imposing upon American labor and American industry the principle of the freeze. It is said by high Government officials who are urging that we adopt the conference report that it is not a draft. Well, Mr. President, a freeze is a type of draft. It is somewhat of a draft in reverse.

If the Senator from Colorado can sustain the burden of proof—and I think the burden of proof rests upon the committee—to show us that the bill proposed by the conference committee, with the principle of compulsion in it, by way of the freeze, is the only means by which we can do this job, and if he can convince me of that, I will vote for adoption of the conference report. But I am satisfied, on the basis of the record to date, that everything the Senator seeks to accomplish under the conference report can be accomplished under the Senate bill, and that the Senate bill will protect us from the abuses of the conference report bill.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. AUSTIN. The distinguished junior Senator from Oregon is thinking of the past; he is not thinking of present conditions, when the bottom of the manpower barrel has been scraped. We must now have 900,000 recruits and replacements for the armed forces. A large number of them must come from the factories which the Senator has described as holding young men, in view of the necessity of supplying those who already are overseas. The conference report is intended to care for that situation and to make it possible to take such men from the factories and put them into the armed forces by placing ceilings on employers, wherever there is an excess of manpower, and thus release a great number of men, a manpower pool, who will want a job, who need a job, and who will ask for a job. When they ask for it they will be referred to the places where young men have been taken from essential factories and put into the armed forces. Thus we can keep both ends of the battle going, all at the same time; we shall be filling the replace-

ments—900,000 of them in the armed forces—and we shall also be inducing men on the home front to work where they are needed. In the ratio of 6 to 1 they now stand in line waiting to take care of the turn-over, the quitting, which would be prevented by the "freeze" provided for in the conference report. If the "freeze" is applied, the turn-over will be stopped and 6 men will be released for every man who is now being provided by the cushion. That is an industrial condition which it has been impossible to rectify upon any basis yet devised, although coercions under Executive orders have been applied to it. The orders were not obeyed. Not only was Executive coercion applied, but inducements in the form of increased wages were offered. That is the situation which has existed.

What does the distinguished Senator from Oregon call proof? If he will take the record and read the hearings, not merely those conducted on this bill but on a series of bills of similar character, he will find proof beyond doubt of the total failure to remedy this peculiar condition of shortages of manpower in spots here and there throughout the country. If this bill does not work, we will be confronted with another problem, but as a Congress we should be able to take at least one step forward in the proper direction.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I am perfectly willing to take proper steps forward, but I do not like to slide backward. I may say to the Senator from Vermont that I have read the RECORD, at least with respect to this bill, and I know of nothing in the RECORD which would justify the conclusion that it supports the statements which have just been made by the Senator. The fixing of ceilings, as provided for under the Senate bill, would accomplish at least the objectives to which the Senator has made reference.

The Senator spoke about the manpower problem. We have a manpower problem. I think the Senator from Colorado knows that in his section of the country, or at least a little farther west, there are problems of unemployment. I think that if those in control would tackle those problems which are now raising their heads, and under the provisions of the Senate bill, transfer men who are being dismissed from war production to other plants where they may be needed, they would solve the problems and avoid the procedures provided for by the conference report to which I objected earlier in my remarks today.

Mr. JOHNSON of Colorado. I thank the Senator from Oregon and the Senator from Vermont for their contributions. We all wish to know as much as we can about the conference report and the original Senate bill.

Mr. President, before being interrupted I was pointing out the differences between the original Senate bill—that is, the O'Mahoney-Kilgore-Ferguson bill—and the conference report. I have pointed out other differences as well. Perhaps the most important difference

occurs in section 5, paragraph 3, in regard to the so-called freeze. That matter has been discussed at length. I shall not tire the Senate by a reiteration of the arguments which have been made for or against the measure. I ask unanimous consent to have printed in the Record

at this point a comparison, paragraph by paragraph, between the conference report and the original Senate bill.

There being no objection, the comparison was ordered to be printed in the Record, as follows:

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That this act may be cited as the "War Manpower Act of 1945."

OBLIGATION OF SERVICE TO NATION

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

NOTE.—Conference report ties this bill to the war making powers of Congress rather than to its Commerce or other powers. In that respect the conference report is more restrictive.

(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.

NOTE.—Section 2 (b) of conference report and section 1 (b) of Senate bill are the same.

COORDINATION OF WAR PROCUREMENT AND MANPOWER

SEC. 3. The Director of War Mobilization and Reconversion (hereinafter called the "Director") shall, subject to the direction of the President, provide for coordinating the activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in section 2 of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the appropriate agency of the Government responsible for manpower at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.

NOTE.—These provisions of conference report and Senate bill are substantially the same.

SURVEYS OF MANPOWER UTILIZATION

SEC. 4. (a) The Director shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the Department of War and the Department

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SEC. 15. This act may be cited as the "War Manpower Act of 1945."

SEC. 1. That (a) every individual is obligated to serve the Nation in that capacity for which he or she is best qualified, and to continue in such capacity so long as his or her services are required, to the end that the Nation may make the most effective use of its manpower resources in support of the war effort.

(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.

SEC. 3. (a) The Director of War Mobilization and Reconversion shall, subject to the direction of the President, provide for coordinating the activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in the first section of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the Chairman of the War Manpower Commission at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.

SEC. 3. (b) The Director of War Mobilization and Reconversion shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the

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of the Navy, to determine the extent to which such Departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such Departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

NOTE.—These provisions of conference report and Senate bill are the same in substance.

(b) The Director shall also provide in other cases for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this act.

NOTE.—These provisions of conference report and Senate bill are the same in substance except for vesting the authority in the Director rather than the Chairman.

EMPLOYMENT CEILINGS, HIRING REGULATIONS, AND PROHIBITIONS ON LEAVING ESSENTIAL EMPLOYMENT

SEC. 5. (a) To the extent deemed by the director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;

(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems as essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

NOTE.—Section 5 (a) of conference report and 4 (b) of Senate bill are substantially the same, except for the addition of the words "the acceptance of employment by workers" in clause (2) and the addition of clause (3), which is the "freeze" provision. The freeze provision is comparable to section 5 (n) (2) proposed to be added by the House bill to the Selective Service Act. The House freeze provision applied to men between the ages of 18 and 45 and froze all of them who were engaged in activities certified as essential. The conference provision is not limited as to age or sex, but contemplates that the freeze will be imposed only where necessary rather than in all essential activities.

(b) Whoever willfully violates the provisions of any regulation made under subsection (a) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than

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War Department and the Navy Department, to determine the extent to which such departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

SEC. 4. (a) Except as to the cases covered by subsection (b) of section 3, the Chairman shall provide for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this act.

SEC. 4. (b) To the extent necessary to carry out the purposes and means declared in the first section of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Chairman is authorized and directed, by regulation (1) to prescribe employment ceilings in designated areas, activities, or places of employment fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed and prohibiting the employment of workers beyond such maximum number, and (2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers. No employer shall hire or retain in his employ any individual in violation of such regulations.

SEC. 4. (d) Any employer who willfully violates any regulation or any order made by the Chairman under paragraph (b) of this section shall be guilty of a misdemeanor and upon conviction thereof in the district court

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12 months or by a fine not to exceed \$10,000, or both.

NOTE.—The penalty provision in conference report and Senate bill is same in effect except that in conference agreement it applies to other persons as well as to employers.

SEC. 5. (c) No wage or other compensation paid for services rendered in any employment commenced or continued in violation of any regulation made under subsection (a) shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this subsection shall not be applicable with respect to any case of a violation of a regulation by any person unless such regulation has been published in the Federal Register, has been published in a newspaper of general circulation in the community for 3 consecutive days, or has been served upon such person by personal service or by registered mail. The Director shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this subsection copies of such regulations, and such additional information, as the Director deems will be useful to the Commissioner and such other agencies in administering their functions under this subsection.

NOTE.—These provisions are the same in effect in both cases.

ADMINISTRATIVE PROVISIONS

SEC. 6. To the maximum degree consistent with this act and with its purposes, local initiative, and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies. The management-labor committees and management-labor-agriculture committees (National, regional, State, and local) heretofore and hereafter established in connection with Government programs for the control or utilization of manpower shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of this act.

NOTE.—Provisions in conference report and Senate bill substantially the same.

TRAVEL EXPENSES

SEC. 7. In the case of any individual who, in response to the request of the Director, agrees to accept employment outside the locality where he is then residing, the Director, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements of the Director with respect to his accepting and continuing in any employment or employments in the same locality until the Director determines that he is no longer needed in such locality for work essential to the war effort or that

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of the United States for the district in which such violation occurred, shall be punished by imprisonment for not more than 12 months or by a fine not to exceed \$10,000, or both.

SEC. 8. No wage or other compensation paid for services rendered in any employment commenced or continued in violation of this act, or of any regulation or order of the Chairman thereunder, shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this section shall not be applicable with respect to any case of a violation of a regulation or order by any person unless such regulation or order has been published in the Federal Register, has been published in a newspaper of general circulation in the community for 3 consecutive days, or has been served upon such person by personal service or by registered mail. The Chairman shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this section copies of such regulations and orders issued under this act, and such additional information, as the Chairman deems will be useful to the Commissioner and such other agencies in administering their functions under this section.

SEC. 2. (a) The Chairman of the War Manpower Commission, an agency of the Government created pursuant to Executive Order No. 9139, dated April 18, 1942, as amended and supplemented (hereinafter referred to as the "Chairman"), shall perform the functions vested in him by this act under the direction and supervision of the Director of War Mobilization and Reconversion.

NOTE.—This provision is omitted from conference report.

(b) The Chairman shall provide for the establishment of a national management-labor policy committee, regional management-labor committees, and State or local management-labor committees consisting in each case of representatives of labor, industrial management, and, where appropriate, agriculture, the members of which shall be appointed without regard to the civil-service laws or the Classification Act of 1923. These committees shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of the functions vested in the Chairman by this act.

(c) To the maximum degree consistent with this act and with its purposes, local initiative and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies.

SEC. 4. (c) In the case of any individual who, in response to the request of the Chairman, agrees to accept employment outside the locality where he is then residing, the Chairman, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements made under this act with respect to his accepting and continuing in any employment or employments in the same locality until the Chairman determines that he is no longer needed in such locality for work es-

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there is other justifiable reason for his not continuing in such work in such locality, shall furnish transportation back to the locality from which transportation was originally furnished for such individual under this section, or to any other locality selected by the individual which is not farther distant. The cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Director shall exercise the authority conferred by this section only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

NOTE.—Provisions in conference report and Senate bill substantially the same.

REEMPLOYMENT RIGHTS

SEC. 8. (a) The Director shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has left or has been released from a position (other than a temporary position) pursuant to a request or requirement made by the Director and (2) has complied thereafter with the requests and requirements made by the Director with respect to his accepting and continuing in any employment or employments until section 5 of this act ceases to be in effect, or the Director determines that such person is no longer needed in work essential to the war effort or that there is other justifiable reason for the Director not to request or require such person to continue any longer in such work, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the 90-day period therein specified, the time within which application for reemployment in his former position must be made shall be 30 days), 8 (c), and 8 (e), of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such act.

NOTE.—Provisions in conference report and Senate bill substantially the same, except for omission of proviso which was in Senate bill.

SEC. 8. (b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"If such person, within 90 days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him pursuant to a request or requirement made by the Director of War Mobilization and Reconversion, any period (before sec. 5 of the War Manpower Act of 1945 ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding 15 days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the 90-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c)."

NOTE.—Provisions in conference report and Senate bill substantially the same.

PERMISSION TO PAY OLD-AGE ASSISTANCE TO INDIVIDUALS NOTWITHSTANDING THEIR EMPLOYMENT DURING PRESENT WAR

SEC. 9. Notwithstanding the provisions of title I of the Social Security Act, as amended

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essential to the war effort, may furnish transportation back to the locality from which transportation was originally furnished for such individual under this subsection, or to any other locality selected by the individual which is not farther distant. The cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Chairman shall exercise the authority conferred by this subsection only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

SEC. 6. (a) The Chairman shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has been released by his employer from a position (other than a temporary position) pursuant to a request or requirement made under this act and (2) has complied thereafter with the requests and requirements made under this act with respect to his accepting and continuing in any employment or employments until section 4 (b) ceases to be in effect or the Chairman determines that he is no longer needed in work essential to the war effort, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the 90-day period therein specified, the time within which application for reemployment in his former position must be made shall be 30 days), 8 (c), and 8 (e) of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such act. *Provided*, That this section shall not be construed to confer greater employment rights than the individual would have had if he had remained employed in such position during the period of the employment or employments accepted by him upon the request of the Chairman of the War Manpower Commission.

SEC. 6. (b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"If such person, within 90 days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him at the request of the Chairman of the War Manpower Commission under the War Manpower Act of 1945, any period (before sec. 4 (b) of such act ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding 15 days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the 90-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c)."

SEC. 12. Notwithstanding the provisions of title I of the Social Security Act, as amended

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(relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

NOTE.—Provisions in conference report and Senate bill are the same.

APPEALS

SEC. 10. The Director shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act or any regulation thereunder is unreasonable as applied to him or is inconsistent with this act or such regulation. Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearings shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director shall by regulation provide for and establish such administrative tribunals as may be necessary for the purposes of this section.

NOTE.—Provisions in conference report and Senate bill are the same.

MISCELLANEOUS ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

SEC. 11. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a) except that, for the purposes of this act, the word "President," wherever it occurs in such paragraphs, shall be deemed to refer to the Director.

NOTE.—Provisions in conference report and Senate bill are the same, except for use of the word "Director" instead of "Chairman."

ESSENTIAL AGRICULTURAL ACTIVITIES

SEC. 12. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or

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(relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

SEC. 5. The Director of War Mobilization and Reconversion shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act, or any regulation or order thereunder, is unreasonable as applied to him or is inconsistent with such act, regulation, or order. Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearing shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director of War Mobilization and Reconversion shall by regulation provide for and establish such administrative tribunals as may be necessary for the purposes of this section.

SEC. 7. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a), except that, for the purposes of this act, the word "President", wherever it occurs in such paragraphs, shall be deemed to refer to the Chairman of the War Manpower Commission.

SEC. 11. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or

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condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board."

NOTE.—Provisions in conference report and Senate bill are the same.

SAVING PROVISION RELATING TO SELECTIVE TRAINING AND SERVICE ACT OF 1940

SEC. 13. Nothing in this act (except sec. 12) shall affect the powers under the Selective Training and Service Act of 1940, as amended, with respect to the classification and selection of persons for, or the induction, or deferment from induction, of persons into, the land or naval forces; or preclude the Selective Service System from classifying and selecting for induction any registrant who violates any regulation made under section 5, or preclude the land or naval forces from inducting such a registrant.

NOTE.—This provision is from section 5 (n) (8) added by the House bill to the Selective Service Act.

REPORTS

SEC. 14. The Director shall submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and appraise manpower mobilization activities and problems.

NOTE.—These provisions of the conference report and the Senate bill are the same.

DEFINITIONS

SEC. 15. (a) As used in this act, the terms "employment", "work", "hire", "rehire", "employ", or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting legal relationship between the parties.

(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

NOTE.—These provisions of the conference report and the Senate bill are the same.

SEPARABILITY

SEC. 16. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

NOTE.—These provisions of the conference report and the Senate bill are the same.

TERMINATION DATE

SEC. 17. The provisions of sections 4 and 5 of this act, and all regulations thereunder, shall cease to be effective upon the termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier.

NOTE.—These provisions of the conference report and the Senate bill are the same.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LUCAS. Is there anything in the present law which would prevent a man from leaving the factory in which he is now engaged in making essentials of war, say within the next 15 or 30 days, if he wanted to leave it?

Mr. JOHNSON of Colorado. There is no law on the subject.

Mr. LUCAS. The Senator is correct. In other words, if there are 10,000 men,

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condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board."

SEC. 9. The Chairman of the War Manpower Commission shall submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and appraise manpower mobilization activities and problems.

SEC. 10. (a) As used in this act, the terms "employment", "work", "hire", "rehire", "employ", or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting legal relationship between the parties.

(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

SEC. 13. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

SEC. 14. The provisions of section 2 (b) and section 4 (a) and (b) of this act, and all regulations, orders, or requirements thereunder, shall cease to be effective upon termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier.

for example, in a plant which is manufacturing machine guns, and the Army or the Navy decided that it needed more machine guns, there is nothing now which could prevent a single one of the 10,000 workers from leaving the job if he wanted to do so.

Mr. JOHNSON of Colorado. There is nothing except the requirement of a certificate of availability, which is given by the War Manpower Commission. That certificate merely makes it difficult for a person working to obtain another job,

because he must have the certificate before he can change his employment.

Mr. LUCAS. That is a minor penalty which does not mean very much.

Mr. JOHNSON of Colorado. It does not mean very much. It is a minor penalty.

Mr. LUCAS. In other words, if the war in Europe should come to an end say within the next 15 days and we should start stepping up the program with regard to the war in Japan, there is nothing in the basic law of this country which would prevent any number of men from returning to their homes in order to obtain early security, assuming they believe that the war with Japan may soon come to a close.

Mr. JOHNSON of Colorado. No; there is not one line of law on the subject.

Mr. LUCAS. If I may further trespass upon the Senator's time, it seems to me that the psychological effect which the end of the war in Europe will have on some workers in defense plants is quite clear. However, what I say hereafter in nowise affects the patriotism of the finest group of workers in all the world. The moment the war ends in Europe, which may be at any time, the one thing which many will think about, in my opinion, is, How soon can they return home? They have saved money, and have bought War bonds. I am merely trying to think what I would do if I were employed in such a plant and had left a fairly good job at home in order to go into defense-plant work and carry on this highly patriotic endeavor. It seems to me that I would say, "The war in Europe is over. We are winning magnificent victories in the Pacific. That war will probably not last long. So I will trudge back home in order to get there first and obtain some measure of security in the period immediately ahead. I will try to get a job in some plant, some store, or on the farm," and so forth.

Mr. President, I have the greatest respect for the workingman of this country. I know what he has done on a voluntary basis. I know that one of the most magnificent jobs ever done has been done by the hands of free labor in this country. Yet, on the other hand, at this psychological hour when we may need weapons in the war with Japan more than we have ever needed them before, we may experience a let-down when the war in Europe is over, the result of which will be a curtailment in the production of war implements which will be indispensable in effectually carrying on the war against the totalitarian powers in the Orient. Obviously, I hope this fear is of no avail. However, the speculation is of great import, if I should be correct. It seems to me that if the Senate of the United States does not adopt the conference report, it will be an invitation to the men working in defense factories to do the very thing I am talking about, because we will be saying that we too, do not believe that the war with Japan is going to last very long. I have great respect for the labor leaders of this country who are against this report. Philip Murray is one of the great leaders of labor in all its history. William

Green is an able and sincere leader. I know of the ability and leadership of Eric Johnston, president of the Chamber of Commerce, who is against this report.

But, Mr. President, in this crisis I must stand by General Marshall, Admiral King, and General Arnold. They are the men who are asking for this kind of a law. They are the men who have carried on our greatest war so magnificently. The victories we have won as the result of the leadership of these men are something which will remain with American and world history so long as there is an American flag.

Mr. JOHNSON of Colorado. And they have had much help from industry and have had much help from labor.

Mr. LUCAS. There is no doubt about that, but what I am saying now is that I want to stand by them at this point, and give them what they want, what they think is necessary in order to carry on the war effort so that the conflict may be ended at the earliest possible time. I cannot do anything else. My conscience would not permit me to let the leaders of our armed forces down in this hour, which, in my humble opinion, is the most crucial hour in the war, so far as the prolongation of the fighting is concerned.

Mr. President, I despise compulsory action of any kind; I dislike the delegation of power to the executive branch of the Government; but this is war, and the most cruel war and the most devastating war history has ever known. I cannot let the boys at the front down. When I say that, I do not challenge the views or convictions of any other Senator. Those who oppose the report believe, no doubt, that they are helping our fighting men by voting against this report. I thank the Senator from Colorado for yielding.

Mr. JOHNSON of Colorado. The Senator is entitled to his view, even though the rest of us do not agree with him entirely. The matters we are discussing are very controversial. Everyone has his own slant on them, everyone has to see them with his own eyes, and arrive at his own determination.

Mr. MORSE. Mr. President, will the Senator from Colorado yield for two or three comments in connection with the remarks made by the distinguished Senator from Illinois?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I am sorry to hear the distinguished Senator from Illinois [Mr. Lucas] confess a fear that when the war in Europe is over, American labor, or any segment of American labor and management, will let the country down in the war with Japan. I think that, in essence, is what the Senator's argument sums up to.

Mr. President, if that be true, we have done a mighty poor job in getting the people of this country to see the great issues which are at stake in the war against Japan. But I think I know enough about the point of view of labor and of management to say that it is my firm conviction that American labor and American management entertain no such fears as the Senator from Illinois would impute to them. It will be found that as soon as the war is over in Europe

American labor and American management will continue to give to the armed forces of this country the same magnificent support they have given up to this hour.

I do not want to let Marshall, or King, or any other American leader down, but I am afraid that the best way to let them down is to pass the pending bill, with its resulting confusion, abuses, and divided public support.

In regard to the Senator's comments concerning potential or possible political features of the discussion, I am sure I can agree with him that certainly no one in the Senate in this critical hour would let such factors color his action. I mean it when I say that in these times what the people of the country are entitled to from every man in the Senate is that he be willing to sacrifice his political life, if necessary, in defense of the welfare of his country.

The Senator talks about the boys of the military forces returning, carrying with his statement the implication that they will resent a vote against the pending bill. I wish to say that I am satisfied that when the boys return and study the merits of the great historic debate that is proceeding in the Congress of the United States now, their judgment will be that we stuck by our guns at home, just as we expected them to in their battles across the sea.

I ask the Senator from Illinois, as I ask the Senator from Colorado, to tell me what he seeks to accomplish under the proposed conference bill which could not be accomplished under the bill as passed by the Senate. The Senate bill will not arouse the antagonism, the fears, and the misunderstandings I am sure will be aroused if the pending bill should be enacted.

Mr. AIKEN. Mr. President, will the Senator from Colorado yield for another question?

Mr. JOHNSON of Colorado. I shall reply first to the question of the Senator from Oregon. If the Senator wants to know the position of the Senator from Colorado on the conference report, I may say that personally I prefer the approach of the bill as it passed the Senate, but I was a member of a conference, meeting with men who had a different viewpoint altogether, and we found that we could not bring a conference report to the Senate unless we gave a little here and gave a little there. We eliminated the draft provision, which was very dear to many of the Members of the House, and we accepted the freeze provision which they had in their bill, and, outside of that, we brought in the bill as it passed the Senate. Ninety-five percent of the conference report is the Senate bill, in the language of the Senate bill, and when we struck out the draft we struck out about 10 pages of the joint bill.

Mr. AUSTIN. Nine pages.

Mr. JOHNSON of Colorado. I missed it by one page. We struck out nine pages, and the Senator from Wyoming remarked to me, when my motion was adopted, "You did not throw a monkey wrench into the machinery; you threw a sledge hammer."

Nevertheless, this is a conference report, and when we go to a conference we

have to try to reach some sort of an agreement. The other members of the conference from the Senate, and I did not want the conferees to kill the legislation. We felt that it was our duty to bring something back to the Senate so that it could be frankly and openly discussed, and so that a determination might be reached in accordance with the traditions of the Congress. That is what we did. If there was crime in it, we will have to confess to the crime. I am not trying to defend the conference report. If Senators will stop interrupting me for about 2 minutes, I will tell them why I am not trying to defend the conference report.

First, however, I yield to the Senator from Vermont, and then I want to proceed.

Mr. AIKEN. Section 5 (a) (3) authorizes the Director "to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment," and so forth.

Mr. JOHNSON of Colorado. Where is the Senator reading?

Mr. AIKEN. Section 5 (a) (3) of the conference report.

Mr. JOHNSON of Colorado. That is the freeze provision.

Mr. AIKEN. As the Senator will recall, when high military officials nearly a year ago predicted that the war in Europe would be over in 1944 there was a general exodus from some departments of government. The division chiefs were leaving every day to go home to get re-established in their private business. Is the provision of the conference bill which I just read sufficiently broad to freeze such division chiefs of our Government departments in their jobs so they will not go home as soon as they think the war is nearly over?

Mr. JOHNSON of Colorado. The freeze is not applied on an individual basis.

Mr. AIKEN. They are the most important employees of all.

Mr. JOHNSON of Colorado. The freeze is employed on a plant basis.

Mr. AIKEN. Suppose the Director says, "We will freeze all persons in the War Production Board or the War Food Administration until the war with Japan is over." Is the bill sufficiently broad to authorize the Director to do that?

Mr. JOHNSON of Colorado. Yes; I think it is sufficiently broad to authorize him to do that. That, however, is merely my opinion. I do not claim to be an expert, but I think that could be done.

Mr. AIKEN. It should be done.

Mr. JOHNSON of Colorado. I think a department could have its employees frozen if it were done on a general basis and not on an individual basis. It could not be done on an individual basis. John Jones could not be frozen on a job and Tom Smith turned loose. They must all be frozen. Then each individual case can be considered for release on an individual basis.

Mr. AIKEN. Is it the Senator's opinion, then, that this language is sufficiently broad to freeze employees of the War

Production Board and the War Food Administration and some of the other agencies in their jobs until the war is over, because they are really the most important of all?

Mr. JOHNSON of Colorado. Yes; I think it is sufficiently broad to freeze employment in departments. I feel certain it is, although, as I said, I am not an authority on such matters.

Mr. WHERRY. Mr. President—

The PRESIDING OFFICER (Mr. FULBRIGHT in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. JOHNSON of Colorado. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from Colorado if the placing of ceilings is not in reality an indirect draft.

Mr. JOHNSON of Colorado. Yes; I think it is an indirect draft. I cannot agree with certain Senators, or with expressions which I heard about the Senate, especially when the Senate bill was passed, that the Senate had passed a milk-and-water bill. When it passed the original Senate bill I think it passed one of the most drastic pieces of legislation ever acted upon by the Congress in the history of our country. Under it, Government officials could place a ceiling even down to the zero mark on the employees of any sort of industry, as the junior Senator from Kentucky [Mr. CHANDLER] said when we were debating the question in the Senate. That is a very drastic power. How does that drive a man into a war plant? Indirectly of course—his means of supply is cut off, his meal ticket is taken from him.

Mr. WHERRY. That is correct.

Mr. JOHNSON of Colorado. He has to find a job, and the only job available to him is a war job. He must take such a job. He has no choice. It is work or starve. The bill was called a work-or-starve bill. I agree with what the Senator from New Jersey said about the bad names we sometimes give our legislation, but in reality the Senate bill was a work-or-starve bill, if its provisions respecting ceilings were carried out.

Mr. WHERRY. Is that not true of the pending bill?

Mr. JOHNSON of Colorado. Yes. There is no change in it in that respect. The bill contains all the provisions of the Senate bill with respect to that subject.

Mr. WHERRY. That is correct. I thank the Senator from Colorado for his answer, because it is very direct, and I think the question is a vital one. We heard the majority leader and the Senator from Illinois [Mr. LUCAS] talk about freezing war workers to their jobs in plants which produce military airplanes. That is one side of the picture. But in my State, for example, where we have but little war work, the Director will have the authority under this measure to declare a ceiling on any business. Is that not correct?

Mr. JOHNSON of Colorado. Yes.

Mr. WHERRY. I have a furniture store and six employees. The Director may decide that two employees can do the job. He can take the other four and channelize them through the Employ-

ment Service to war work. In my State there are no critical labor areas, except area No. 3, and employees can be taken out of Nebraska and placed in critical areas where large war contracts have been placed. Is that not true?

Mr. JOHNSON of Colorado. No; I do not think so.

Mr. WHERRY. A man could be offered employment in such a place and if he did not accept and go there he could not have a job.

Mr. JOHNSON of Colorado. He may be offered employment, and he can accept it or reject it.

Mr. WHERRY. If he does not accept it, he is unemployed—is that not correct—and he cannot return to his old job?

Mr. JOHNSON of Colorado. Yes.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. I wish to ask the Senator about one other change made which seems to have a very vital practical effect. That is in clause (2) where the Director, under the conference bill, but not under the Senate bill, is given power to prohibit or regulate the acceptance of employment by workers. That, it seems to me, goes beyond any manpower ceiling. The manpower ceiling is directed to a particular employer and under it he can employ only so many men. But if the Director is given the power to regulate or prohibit the acceptance of employment by workers, it seems to me an order can be issued saying to any man that he cannot accept employment except, we will say, in the airplane industry, or even in particular airplane plants which happen to be short of men. So it seems to me that the addition of the words in the conference report represent a very important change from the Senate bill, one which will authorize the issuance of regulations practically saying to a man, "Not only must you leave this plant but you can work only in this other particular plant." So it comes almost to a forced order to work.

Mr. JOHNSON of Colorado. Will the Senator be kind enough to inform us of what provision of the bill he is speaking?

Mr. TAFT. Section 5 (a) (2). Section 5 (a) (2) of the Senate bill reads:

To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers.

The conference report adds to that the following language:

And the acceptance of employment by workers;

So that, as I interpret the language, orders may be directed not only to employers but to particular workers, or classes of workers, or to particular men.

Mr. JOHNSON of Colorado. Yes. That is an important change in the bill. I discussed that a moment ago while the Senator from Ohio was not on the floor. That addition to the Senate language was proposed by the House conferees. But at the present time the Manpower Commissioner is at least attempting something along that line through his certificate of availability. A man must have a certificate nowadays in order to obtain a job.

Mr. President, I wish to state why I am not supporting the conference report. Late Saturday evening the Director of War Mobilization and Reconversion issued a statement. Senators have heard what the Senator from Kentucky [Mr. BARKLEY] said about that a moment ago. I cannot agree with what the Senator stated. His interpretation does not at all coincide with mine. I read the language over very carefully; I read it a good many times. As a matter of fact, I could hardly believe my eyes when I read it. Because of the position which may be taken by the man to whom we are delegating this authority, I think it is important that we know what is in his mind. I regret exceedingly that Mr. Byrnes has severed his connection with the Government. I have great respect and great fondness for him. He is an able man. He has done a great job under extreme difficulties. I am sure he has had the confidence of everyone in this body. I regret that he is leaving the Government service. I know that he will be sorely missed when he returns to civil life. I know that we need men in this administration with the ability of Mr. Justice Byrnes.

Last Saturday night he issued a statement in which he said:

Controls are necessary, not only for war production, but also for the production of essential civilian goods, and later to facilitate reconversion.

That is, labor controls are necessary not only for the purposes of the war, but for purposes of reconversion, and for the production of civilian goods. It is true, as has been pointed out on the floor of the Senate, that this bill is a war measure, in that it will terminate at the end of the war. But when we delegate authority to the Director of War Mobilization and Reconversion, and he tells us in plain English that he wants labor controls not only for war, but also for civilian production and for the reconversion period, it seems to me that we must pay some attention to what he says.

That would not be so bad, but as we continue reading his report we find that the curfew is not to ring after VE-day. We find that horse racing may be resumed; that all kinds of entertainment may continue as before; that no restriction is to be placed upon the use of coal and other fuels. In other words, we are going back to normal in all things, and at the same time we are going to give the Director the power to place a freeze—and he says he will need it—upon any industry which he thinks should have a freeze placed upon it, whether the industry is producing for war or for civilian uses. That is his own language—reconversion, civilian production, and war production.

What is a man who is frozen in a plant going to think when he sees everyone else getting back to the regular mode of life of the American people? How about the man who has left his filling-station job? I know of one little town in Colorado where 10 men operated filling stations. They are now in California working in war plants. What are they to

think when they see everyone else getting back into business—the entertainment business, the horse-racing business, and every other business—and they are told that they must remain in a war plant? It does not make sense to me. I cannot fit the two things together at all. It does not seem to me that we would be justified in enacting a freeze law, while at the same time the Director announces to us that he is going to get back to normal as fast as he can in all these nonessential things.

Moreover, in the same report, Mr. Justice Byrnes tells us that he has stopped the construction of 72 naval vessels, as well as 142 additional Liberty ships, and certain high-octane gasoline plants which would not come into production until well into 1946. Because he has closed these plants, they will not need 40 tankers to carry the gasoline, and their construction has been stopped.

He says that in the first 3 months after VE-day the reduction in war orders will amount to 15 or 20 percent, and that in 12 months it may amount to 40 percent. What does that 40 percent mean in terms of jobs? It cannot possibly mean less than 10,000,000 jobs. Reduction of war orders by 40 percent probably means as many as 15,000,000 jobs. I feel very certain—and I have felt so for a long time—that instead of having a manpower problem in this country, very shortly we shall have an unemployment problem. It will come very rapidly. Mr. Byrnes also seems to be of that opinion, because he points out these very drastic reductions.

In the same report he states that unemployment after VE-day will be temporary in nature. I do not know what "temporary" may mean—whether it means 3 months, 6 months, or 12 months. However, the unemployed will have a pretty tough time if they have to go hungry even for only a week. They must find employment or they will go hungry. We cannot return to civilian production immediately. A great deal of retooling will be necessary. Most industries have been converted to war production. They are tooled for that purpose, and time will be required to convert back to civilian production. In the meantime 10,000,000 jobs will be out the window.

At the same time, there would be a law which would freeze men in other jobs. That is the reason why I am not supporting the conference report. Previously I had been supporting the conference report very reluctantly, because I thought it was a war measure. I was never convinced of the bugaboo of failure of production. I never believed that men would leave their jobs in great numbers as soon as VE-day arrived. I have never been convinced of it. However, it seemed to me that if we were making this a war job, and if there was any danger of that kind, the Congress, having confidence in such men as Mr. Justice Byrnes, might very well delegate to him authority to take care of any bad spots by freezing manpower. If certain plants should get out of line on civilian production, he could place manpower ceilings on them. I thought it was a war measure; and because I felt that Mr. Justice Byrnes had so much good judgment and discretion that he would not abuse the

power, I was reluctantly going along with the conference report.

But now, when Mr. Byrnes tells us what his views are, and especially when we learn today that he is resigning and going back into civilian life, it seems to me that this is a poor time to freeze other persons on their jobs. Mr. Byrnes is going back to civilian life. What will the man think who is being frozen on a job out in Oregon? He will say, "Jimmy Byrnes quit and got himself a job. The war must be over. Everyone is going back to the normal way of life again."

It does not seem right to me to enact a drastic freeze law at a time such as this, and in the face of such a report as Mr. Justice Byrnes very frankly made to the country.

Mr. BURTON. Mr. President, I have appreciated this opportunity of listening to a full discussion of the conference report for I was a member of the conference committee.

This measure is a war measure. I wish to speak in support of the conference report because I believe the choice is between adopting the conference report or entirely failing to act. To fail to act would be a failure on the part of the Senate to meet a serious obligation in time of war.

It is nearly 3 months since the Chief Executive of the United States called the attention of the Congress to the fact that there was a need for stabilizing production in order to make sure that we would meet the schedules of essential war goods facing us. It is over 2 months since the House of Representatives met that request by passing the House bill. It passed a labor-draft bill. During the following 2 months the Senate committee and the Senate have considered the measure. The Senate was unwilling to pass the labor-draft measure, but it passed the Senate bill. I believe that in passing the Senate bill the Senate did meet the issue. To my mind the Senate bill was a measure which well met the challenge. It was sent to conference because the House had voted for a measure fundamentally different from the bill passed by the Senate, and the Senate cannot legislate alone. The obligation of the conferees was to find some way whereby the Senate and the House could agree. I believe the conferees on the part of the Senate went just as far as they had to go to obtain the consent of the House of Representatives, and no further. Therefore, I believe they have performed for the Senate the assignment we gave them.

The proof of this is that when this measure went back to the House of Representatives the conference report was approved by the House, but it was approved by a margin of but seven votes. The House had receded from the substance of its original proposal—a labor-draft bill—and it had received in return merely two modifications of the Senate bill. Those modifications stiffened the Senate bill just enough to get the approval of the House and no more. Under those circumstances, I believe the conference committee in reporting to the Senate is properly reporting that the conferees have modified the Senate bill as little as it can be modified and still obtain an act of Congress.

It is under those circumstances that I believe we should view the action taken by the House of Representatives just the other day.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. MORSE. As I understand the remarks of the Senator, he believes that the vote of 167 to 160 in the House of Representatives—in other words the closeness of the vote—is due to the fact that the representatives of the House of Representatives in the conference committee had yielded so much from the standpoint of the original House bill.

Mr. BURTON. I feel that way. I do so particularly in view of the fact that the House conferees unanimously declined to accept the Senate bill as such, or to consider the Senate bill as such in conference, and the House of Representatives had previously passed the House bill by a substantial majority.

Mr. MORSE. Let me suggest that as I read the CONGRESSIONAL RECORD of the day when the bill was passed by the House of Representatives, I say to the distinguished Senator from Ohio, I do not think there is anything in that RECORD that would support the guess the Senator has made. I do not think we know on just what basis the House voted by a vote of 167 to 160 to accept the conference report, but I would venture the suggestion—I can offer no more proof than can the Senator from Ohio—that there are a great many Members of the House of Representatives who voted for acceptance of the conference report who wished they could have voted for the Senate bill as such at that time.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. AUSTIN. The Senator from Ohio and I were members of the conference committee. I ask whether he remembers the events which occurred in the conference as I remember them, in the respect that we, the conferees on the part of the Senate, tried for days to get the conferees on the part of the House to accept the Senate version, but we were wholly unable to do so. Is that true?

Mr. BURTON. Absolutely.

Mr. AUSTIN. Very well. Then what is the use of talking about sending the conference report back to conference on the expectation that the conferees on the part of the House will yield and will accept the Senate bill? We have been through that experience. We certainly would not have come here with a compromise if we could have persuaded the conferees on the part of the House to accept the Senate version, which we tried to do.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. BURTON. I yield.

Mr. MORSE. I shall not trespass very much on the Senator's time, except to say that I think there is a great deal of use in returning the report to conference. I not only think that the conferees on the part of the House have since obtained much more information than they had at the time when the conferees agreed upon the report, but I think the Members of the House of

Representatives generally have much more information now than they had at the time when they voted. It seems to me that the argument that we must choose between this legislation or no legislation is exceedingly fallacious. I think that if we will adopt the motion of the Senator from Wyoming [Mr. O'MAHONEY], when we get into a position to vote upon it, and send the report back to conference, we shall find that the Members of the House of Representatives will rise to their duty, as will the Members of this body, and that from the further conference there will come a new bill which I think will avoid many of the objections which we are raising to the pending measure.

I think the statement that we must choose between either this bill or no bill at all does not take into account the realities of the situation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. BARKLEY. Much has been made of the fact that the conference report was agreed to in the House by a vote of 167 to 160, which means that 108 Members of the House of Representatives were absent at the time when the vote was taken. No one knows how those absent Members would have voted. The fact that they were absent means that one-fourth of the membership of the House of Representatives was away. It is just as fair to assume that if all of them had been present and voting the conference report would have been adopted by an even larger majority as it is to say that it would have been rejected. I do not think any argument can be predicated on the fact that only three-fourths of the membership of the House of Representatives voted on the conference report.

Let me ask the Senator this question. The two bills were exactly opposite. Does the Senator from Ohio know, or does any other Senator know, of any instance in the past when the House accepted without change a bill written by the Senate, in which all the language adopted by the House was stricken out and the language of the Senate bill was inserted? If any Senator can cite an instance of such a proceeding, I should like to have him do so.

Mr. BURTON. I am sure the memory of the Senator from Kentucky goes back much farther than mine does; but let me say that in the conference the remark was made that the conferees did not know of any case in which that had occurred.

Mr. BARKLEY. I am sure the Senator referred to service in the Senate when he made his remark about our respective memories.

Mr. BURTON. Either way, I say to the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. MORSE. I think the Senator from Kentucky and I not only are agreed on the point that neither he nor I knows what the House of Representatives would do if it had a chance to act in this situation—

Mr. BARKLEY. No, Mr. President; but let me say, if the Senator will yield to me at this time, that I have never heard of a case in which a conference report was sent back to a further conference on the ground that no one knew what the House of Representatives would do if it had a chance to legislate anew. That is a very precarious way to legislate; it seems to me.

Mr. MORSE. I, too, understand that it is very seldom that a conference report has been sent back for a further conference. It is only because of the importance and urgency of the situation now facing the country that I have suggested that the precedent be broken.

Mr. BARKLEY. Of course, Mr. President, let me say, if the Senator from Ohio will further yield to me—

Mr. BURTON. I yield.

Mr. BARKLEY. I do not wish to get into an argument about what would have happened if something else had happened; but it seems to me that the Senate came out pretty well in the conference, in view of the fact that the Senate got approximately 90 percent of its bill, which is a fairly good result, based on the average of conferences between the Senate and the House.

Mr. BURTON. Mr. President, the reason why I mentioned the vote in the House of Representatives on the conference report was because a little while ago the Senator from Oregon stated what he has just repeated, and because I believe, as a result of my contacts with the conferees, that the Senator from Oregon is overestimating the situation. In reply to his suggestion I say that when the conferees on the part of the Senate met with the conferees on the part of the House, the conferees on the part of the House were most specific and plain in stating that they would not vote to report to the House a measure which amounted to the Senate bill. They would not agree to a conference report on that basis, and there would have been no agreement at all on such a basis. We know that at first hand. That is not an argument based on what happened in the House of Representatives after the conference report was before it. I mentioned the vote in the House of Representatives only to show that the conference report was nearly defeated, as it was.

Now the conference report is before the Senate, and the final choice rests with the Senate.

Let us remember that this is a war measure. It has been nearly 3 months since the needs of the Administration were placed before the Congress, yet the Congress has not taken action. The measure has been in the Senate itself for over 2 months, yet the Senate has not been able to convince itself of the merit of the modifications made in the Senate proposals by the conference committee, to which modifications the other House has agreed. The Senate has now the entire responsibility for this measure. We know that the House will not again be in session with a quorum until after April 10. As I see it, this is not the time for us to delay while the war calls upon us for action. We have fully debated both the conference report and the

bill as originally passed by the Senate. There are 14 excellent steps in the Senate proposals. If we enact them into law we shall be taking forward steps which are badly needed. Failure to enact them would set a bad example in a time of great need.

Mr. MORSE. I understand the House has adjourned subject to call.

Mr. BURTON. No; the House is taking a series of 3-day adjournments, under an agreement that no important business will be transacted until after April 10.

Mr. MORSE. I understand that there is an agreement that the Speaker will call the House back into session in case any important business arises for the House to transact.

Mr. BURTON. The House is meeting every third day. Possibly the House could be called into session in the meantime if it were necessary.

Mr. MORSE. Judging from the remarks of the Senator, this matter is important.

Mr. BURTON. Yes. But if the House is called into session to consider this matter there is no assurance that another conference will be had since the conference originally authorized has already acted.

Mr. President, we have been advised that we have an important schedule of production, partly for the European war and partly for the war with Japan. That schedule has been fully considered in the light of military events. We have received the advice of our highest military leaders who are in charge of the conduct of the war. It was repeated to us recently, even after the conference report had reached the Senate that this measure would meet the emergency, and that it was essential that it be passed. Our military leaders have told us that we are falling behind in our production schedules. We are told that these military and naval schedules are important. I trust that our men on the fighting fronts have not actually experienced a shortage of munitions. I have received reports running both ways on that subject. Assuming, however, that our soldiers have not actually been running short of munitions, yet the reserves have been cut into and those reserves are running short of the estimates set for them in planning the war. If Admiral King, General Marshall, and other officials charged with the conduct of the war tell us that there is a need to increase our schedule of production, it is up to us to find a method by which we can meet that need. The House of Representatives attempted to meet it with a labor draft, but the Senate objected to that method and substituted the Senate proposals.

I concurred in the action of the Senate because I thought to do otherwise would result in a handicap rather than a help in an early increase of production. When the Senate adopted its 14-point program, to which I have referred, I believe that the Senate, in its turn, met its responsibility to the men at the front, provided it could induce the House to follow its lead. The 14 points are as follows:

In section 2 we find a declaration of objectives and purposes which gives congressional emphasis to the need.

That is an important declaration to the world which has not yet been made by the Congress.

In section 6 we provide for management-labor committees.

In section 3 we provide for coordination of schedules, awards, and termination of contracts.

In section 4 (a) we provide for surveys and corrections of manpower abuses in Government plants.

In section 4 (b) we provide for surveys and corrections of manpower abuses in other plants.

In section 5 (a) (1) we provide for employment ceilings.

In section 5 (a) (2) we provide for certificates of availability, regulations and prohibitions as to the employment of new workers.

In section 6 we provide for the channelization of employment, and priority referrals.

In section 7 we provide for transportation to and from distant points of work.

In section 8 we provide for reemployment after termination of assignment to a war job.

In section 5 (c) we provide for the disallowance in computing income taxes and contract payments of expenditures made in violation of this act by employers.

In section 11 we provide for enforcement of these provisions by court order.

In section 5 (b) we provide misdemeanor penalties for willful violations of the act.

In section 12 we clarify the provisions of the Tydings amendment.

Mr. President, to my mind those 14 points in the bill as it passed the Senate are vitally important, and the Senate should not retreat from them. If we abandon them we shall not meet the responsibility which we face. To vote against the conference report amounts to abandoning all of these 14 and doing nothing, merely because the report also contains a fifteenth.

Something was said concerning Mr. Justice Byrnes, his report, and his resignation. I wish to quote from his report. His report shows that he believes this legislation is essential. In speaking of the shortcomings of the system he says on page 8 of his report:

All of the measures available to the Government were used to coordinate and integrate the work of the several agencies concerned with manpower. Nevertheless, I cannot say that we have had a comprehensive system that works efficiently.

On page 10 of the report he states:

The administrative agencies responsible for war production have not had the requisite authority in the manpower fields to obtain a wide distribution of the available supply. The enactment of the legislation recommended by the Senate and House conferees will provide this authority. The responsibility to use it well will rest on the responsible administrative agencies.

I believe that this legislation will expedite full-scale reconversion. It assures the undertaking of reconversion measures without interfering with the war production required to continue the war against Japan. We have this assurance only with positive manpower controls.

Speaking in the light of his experience, he points to the same thing to which the junior Senator from Connecticut [Mr. HART] pointed the other day. In the

junior Senator from Connecticut we know that we have one of the greatest authorities on our needs in the Pacific war. He was in command of the Asiatic Fleet when the war began. He stated that in his judgment the United States needs additional manpower for production of war materials for our war with Japan. To use the phrase of the Senator from Connecticut, any failure to supply those needs means fighting the war to a draw rather than to a victory. Under those circumstances, Mr. President, the Senate should not fail to respond to the needs of our armed forces when those needs have been shown to us, as they have been shown to us in this case.

Mr. President, I believe that we should not retreat from the 14 points to which I have referred. The only ground which could be urged for retreating is the fact that two provisions have been added in the conference report in order to secure the assent of the House of Representatives. It is the opinion of the conferees that in the emergency now existing it would be well to accept those two points. One of them places in the Director of War Mobilization and Reconversion, the principal administrative authority, including the power to choose the Chairman of the War Manpower Commission to act under him if he should wish to do so. We regarded that as an administrative point which could be yielded if it meant the passage instead of the defeat of the bill. It apparently meant much to the House conferees.

The second point was the freeze. The freeze was far from an acceptance of the draft program. We already had authority in the Senate bill to establish employment ceilings, and require certificates of availability in places where they were needed. We merely added authority for a freeze in places where it might be needed to do work essential to the war effort. Furthermore, the worker remains on the job merely until the Director determines that it is no longer necessary for him to remain in such employment. If he has a justifiable reason for leaving such employment, it is also within the discretion of the Director to release him. We have therefore a flexible freeze added to a flexible ceiling. It would not be a Nation-wide freeze. In adopting those measures I believe that to a great degree we would meet the needs of the war effort.

It is clear that the war is going rather well for us in Germany at this time. Therefore, under the circumstances, we might say, if we guided our legislation by the reports from the front day by day, that we might postpone legislating. On the other hand, what it means to me is that we should pass our legislation but make it flexible so that it will meet the needs of the time as they arise, including those brought about by the war with Japan. We provide here, not a general freeze, not a general ceiling, but a freeze adapted to the needs and the time and place, so that in spots in this country where certain kinds of employment may be needed at different times, Congress will have placed in the hands of those who administer the law

authority to be sure that production will continue when and where it is needed. That is little enough for Congress to do in meeting the emergency. That is little enough insurance for our men at the front.

As to the Senate's 14 points, there is no controversy; those 14 points will remain in the bill if the conference report is accepted. To them the report adds an optional freeze, to be used in appropriate places. I believe that addition does not justify defeating the other 14 points. We owe it to the men in the service and to the leaders of our armed forces to respond to their request of nearly 3 months ago, to furnish the needed authority to insure the maintenance of the production schedules so necessary at this time.

Something has been said of morale. I am not arguing this matter on the basis of the probable effect of the adoption of the report on the morale of our soldiers, but I do wish to repeat a suggestion made to me, that the enactment of the pending measure, whether or not we have concluded our war in Germany, will mean that we are proceeding to maintain our full speed against Japan, and that we are providing enough authority so that there will be no doubt about our determination to press the war against Japan. That will have an adverse effect on the morale of Japan, if anything can have such an effect. It is the kind of message that will mean to Japan that we are going all the way with our attack on Japan, and that there will not be a chance for a draw on that side of the earth. That is the kind of message to send to the men fighting in the Far East. It is a message of full support from the home front, that there shall be no draw. It is a message to our men at the front everywhere: "We are not going to let you down."

What we are striving for is production for the war effort. We have been warned by our military and civil authorities that there is great need for added authority behind the program to increase production. We have had 3 months in Congress in which to act, 2 full months in the Senate. I believe we passed a good bill in the Senate. The question is how can we save it. I believe that the decision rests with us. Shall we accept the fifteenth point as an addition and go through with it and give the authority needed, or shall we let the plan drop and do nothing?

Mr. MORSE. Mr. President—
The PRESIDING OFFICER (Mr. McMAHON in the chair). Does the Senator from Ohio yield to the Senator from Oregon?

Mr. BURTON. I yield.

Mr. MORSE. I am in complete agreement with the Senator that the issue is one of production, and how best to get the production. I agree with the fourteen points. I only regret that you agreed to two principles in addition which in my opinion make it impossible for us to get the production we seek.

Mr. BURTON. Let me interrupt to say that unless we get a vote in the House on the fourteen points, we do not get the fourteen points.

Mr. MORSE. I am urging the Senator to join with me and give the House

another opportunity to vote on the fourteen points.

Let me conclude my remarks by saying that I think the Senator not only does not give sufficient importance to the effect of the freeze provision on maximum production for the war effort, but I think he overlooks the importance of the other principle to which I tried to address myself in my remarks today, namely the significance of the great unchecked power the Senator agrees to under the conference report. It is incompatible with a government of checks and balances. When we go through the conference report we see some of the differences in language between it and the Senate bill, and see what our conferees have relinquished. I do not think they did it necessarily consciously and deliberately. I know how these reports have to be written—someone suggests certain language and no one raises any objection to it. But I wish to point out that the final pattern of this conference report is a pattern which gives great discretionary power to the Director of War Mobilization. I am convinced the courts will rule that he was given practically unchecked power.

Mr. BURTON. I do not believe it goes out of range of the power that has been given for similar activities during the war, and I do not believe it goes out of range of an emergency power, which should be given to administrative authorities in meeting a wartime production need. I do not believe it goes nearly as far as does the House bill. I believe that in order to get a vote on the bill in the House, which is a body equivalent to the Senate in this Congress, that shall have to have more in the bill than we put in it in the first place, and I believe we are not going too far when we yield these two points in order that there may be provided the added authority so necessary to insure an increased schedule of production.

Mr. BARKLEY. Mr. President, I wish to read a paragraph or two from the report which Justice Byrnes made today and upon which reliance is now placed for opposition to the conference bill. It might be entirely appropriate at the conclusion of the address of the Senator from Ohio to read two or three paragraphs from the report. I read:

MANPOWER REQUIREMENTS

The immediate problem in manpower is to find the labor force needed to meet the requirements of the armed forces and essential civilian economy in the remaining period of a two-front war.

We can draw on new entrants in industry, veterans released from the Army, and workers released from declining war programs. However, we will still have a deficiency of 250,000 to 300,000 workers in war programs. Essential services are finding it difficult to maintain standards without additional manpower.

On previous pages of the report he stated that notwithstanding the good showing which was made in January and February, and even parts of March, the schedule of war production is still behind; it has not been met, and is not being met. He proceeds:

If we are to meet schedules, we must draw on workers in less essential activities. There is no other way out. We must still con-

centrate on getting the right workers into the right jobs and places at the right time.

During January and February definite progress was made in placing workers where needed. In these months, the United States Employment Service directed 2,000,000 persons (an all-time peak) to war and war-supporting jobs. Approximately 450,000 workers were placed in "must" plants. At the same time, separations cost us 300,000 "must" workers. About 160,000 are still needed in the "must" programs alone.

So that those who rely upon Justice Byrnes' report as a basis for opposing the conference report should read his entire report, and not pick out a casual sentence somewhere as a loophole through which to jump in order to escape the conclusions that do support the conference report.

Mr. HATCH. Mr. President, the pending measure presents many opportunities for oratory, eloquence, and debate. Frankly, I should rather discuss the issues involved in the measure from the standpoint of reason and intelligence, without any appeal to emotion, whether on one side or the other, although I concede there is plenty of room for appeal to emotion.

Mr. BARKLEY. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I assume that at this hour the Senator from New Mexico would not be able to conclude his remarks, and if he is willing to yield, I shall move that the Senate suspend for the day.

Mr. HATCH. I yield for that purpose.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. McMAHON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Albert A. Ridge, of Missouri, to be United States district judge for the western district of Missouri, vice Merrill E. Otis, deceased; and

John J. Wein, of Ohio, to be United States marshal for the northern district of Ohio, vice George J. Keinath, deceased.

By Mr. McFARLAND, from the Committee on the Judiciary:

Jed Johnson, of Oklahoma, to be a judge of the United States Customs Court, vice Thomas J. Walker, deceased.

By Mr. GERRY, from the Committee on Naval Affairs:

Lt. George Alexander A. Vandergrift, Commandant of the Marine Corps, to be a general in the United States Marine Corps; and Sundry officers for temporary service in the Navy.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

RECESS

Mr. BARKLEY. Mr. President, there are no nominations on the Executive Calendar.

I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Tuesday, April 3, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 2 (legislative day of March 16), 1945:

DIPLOMATIC AND FOREIGN SERVICE

Richard P. Butrick, of New York, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

H. Merle Cochran, of Arizona, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

H. Gordon Minnigerode, of the District of Columbia, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

Paul H. Alling, of Connecticut, to be a Foreign Service officer of class 2, a secretary in the Diplomatic Service, and a consul general of the United States of America.

William A. Fowler, of Oregon, to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul of the United States of America.

Robert T. Cowan, of Texas, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

Fred M. Vinson, of Kentucky, to be Director of War Mobilization and Reconversion for a term of 2 years, vice James F. Byrnes, resigned.

COAST AND GEODETIC SURVEY

Columbus M. Shinn to be aide with rank of ensign in the Coast and Geodetic Survey, from the 25th day of October 1944.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE LIEUTENANT GENERALS

Maj. Gen. Hoyt Sanford Vandenberg (major, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

Maj. Gen. Harold Lee George (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Maj. Gen. John Kenneth Cannon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

TO BE MAJOR GENERALS

Brig. Gen. Clift Andrus (colonel, Field Artillery), Army of the United States.

Brig. Gen. Charles Bertody Stone 3d (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Isaac Davis White (major, Cavalry), Army of the United States.

Brig. Gen. Frank August Helleman (lieutenant colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Hobart Raymond Gay (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Walter Francis Kraus (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Charles Andrew Willoughby (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Albert Cowper Smith (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Clark Louis Ruffner (major, Cavalry), Army of the United States.

Brig. Gen. Harold Whittle Blakeley (lieutenant colonel, Field Artillery), Army of the United States.

Brig. Gen. Donald Wilson (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. William Frishe Dean (major, Infantry), Army of the United States.

Brig. Gen. Carter Bowie Magruder (major, Field Artillery), Army of the United States.

Brig. Gen. Lewis Andrew Pick (lieutenant colonel, Corps of Engineers), Army of the United States.

Brig. Gen. James Allen Lester (colonel, Field Artillery), Army of the United States.

Brig. Gen. Paul Bernard Wurtsmith (captain, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

Brig. Gen. James Edward Moore (major, Infantry), Army of the United States.

Brig. Gen. Howard McMath Turner (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Floyd Lavinus Parks (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. William Curtis Chase (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Francis Henry Lanahan, Jr. (lieutenant colonel, Signal Corps), Army of the United States.

Brig. Gen. Frank Lewis Culin, Jr. (lieutenant colonel, Infantry), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Joseph Merit Tully, Cavalry.

Col. Homer Watson Kiefer (lieutenant colonel, Field Artillery), Army of the United States.

Col. Morris Robert Nelson (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. William Lee Hart, Medical Corps.

Col. John Harrison Stokes, Jr. (lieutenant colonel, Infantry), Army of the United States.

Col. Thomas Benton McDonald (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Ray Lawrence Burnell (lieutenant colonel, Field Artillery), Army of the United States.

Col. John Murphy Willems (major, Field Artillery), Army of the United States.

Col. Andrew Christian Tychsen (lieutenant colonel, Infantry), Army of the United States.

Col. Wentworth Goss (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Charles Edward Dissinger (lieutenant colonel, Cavalry), Army of the United States.

Col. Mark McClure (major, Field Artillery), Army of the United States.

Col. James Wellington Younger (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. John Maurice Weikert (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Frederic William Boye, Cavalry.

Col. Richard Clare Partridge (lieutenant colonel, Field Artillery), Army of the United States.

Col. William Claude McMahon (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Lanier Dasher, Jr. (major, Field Artillery), Army of the United States.

Col. Patrick Henry Timothy (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Ivan Lonsdale Farman (captain, Air Corps; temporary lieutenant colonel, Air

Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Edward Thomas Williams (lieutenant colonel, Field Artillery), Army of the United States.

Col. Sidney Rae Hinds (lieutenant colonel, Infantry), Army of the United States.

Col. William Ludlow Ritchie (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Robert Leroy Dulaney (major, Infantry), Army of the United States.

Col. Elliott Raymond Thorpe (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Joseph Barrett (major, Field Artillery), Army of the United States.

Col. Thomas Dreux Hurley, Medical Corps.

Col. William Edmund Waters (lieutenant colonel, Field Artillery), Army of the United States.

Col. Milton Abram Hill (lieutenant colonel, Infantry), Army of the United States.

Col. Paul DeWitt Adams (captain, Infantry), Army of the United States.

Col. John William Middleton (lieutenant colonel, Infantry), Army of the United States.

Col. George Bryan Conrad (lieutenant colonel, Field Artillery), Army of the United States.

Col. Henry Ray McKenzie (captain, Quartermaster Corps), Army of the United States.

Col. Alfred Rockwood Maxwell (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Bertram Francis Hayford (lieutenant colonel, Field Artillery), Army of the United States.

Col. David William Hutchison (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Richard Ulysses Nicholas, Corps of Engineers.

Col. Joseph Stubbs Robinson (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. James Franklin Powell (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Ira Platt Swift (lieutenant colonel, Cavalry), Army of the United States.

Col. Emerick Kutschko (lieutenant colonel, Infantry), Army of the United States.

Col. George Russell Callender, Medical Corps.

Col. Lemuel Mathewson (major, Field Artillery), Army of the United States.

Col. Robert Homer Soule (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Herbert Karlstad (lieutenant colonel, Infantry), Army of the United States.

Chaplain (Col.) Luther Deck Miller, United States Army.

Col. James Leo Dalton 2d (captain, Infantry), Army of the United States.

Col. Lloyd Henry Gibbons (lieutenant colonel, Infantry), Army of the United States.

Col. John Clarence Gordon (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. John Harry Stadler, Jr. (major, Cavalry), Army of the United States.

Col. Butler Buchanan Miltonberger (lieutenant colonel, Infantry, National Guard of the United States), Army of the United States.

Col. Isidor Schwaner Ravdin (lieutenant colonel, Medical Reserve), Army of the United States.

Col. Maurice Milton Beach (captain, Air Reserve; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Samuel Morgan Thomas (major, Signal Reserve), Army of the United States.

Col. Donald Clinton Swatland (temporary colonel, Army of the United States, Air Corps), Army of the United States.

IN THE NAVY

Capt. Robert P. Briscoe, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 9th day of August 1943.

Commodore Oliver O. Kessing, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving in Pacific Ocean areas and in Southwest Pacific areas, and until reporting for other permanent duty.

Capt. Joseph C. Cronin, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Battleship Squadron 2, and until reporting for other permanent duty.

Capt. George Van Deurs, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Battleship Squadron 1, and until reporting for other permanent duty.

Capt. John T. Bottom, Jr., United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. John P. Womble, Jr., United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. John M. Higgins, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Roland N. Smoot, United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Frederick Moosbrugger, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Rodger W. Simpson, United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 2, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. COOPER.

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

APRIL 2, 1945.

I hereby designate the Honorable JERE COOPER to act as Speaker pro tempore today.
SAM RAYBURN.

PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Divine Redeemer, our mediator and advocate, who hast parted the curtain of the night, Thou hast revealed Thyself anew. In the thought of our immortality, grant that there may be a

deep peace and an inward joy, a balm in every trouble, a light in every darkness, with our sincere desire to do Thy will. O Christ of the quiet heart, teach us the strength that comes from waiting patiently before Thee. As we lay our grievances at the foot of the cross, breathe into us the spirit of Thy fortitude and passion and give us grace to deny ourselves. Help us to build our lives on the magnificence of big things, upon the heart's highest hopes and instincts, and by faith in the world's Saviour hold on until the morning breaketh; O be with our whole land and make it the garden of the Lord. In Thy name who art the light and truth of the world. Amen.

The Journal of the proceedings of Thursday, March 29, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative principal clerk, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 37. Concurrent resolution authorizing the printing of a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," as a public document, and providing for additional copies thereof; and

H. Con. Res. 38. Concurrent resolution authorizing the printing of the historical statement of the laws enacted and the regulations promulgated relating to veterans and their dependents, with a complete statement regarding expenditures for hospital and domiciliary construction as a House document, and providing for additional copies thereof.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. McKELLAR, Mr. TYDINGS, Mr. McCARRAN, Mr. BAILEY, Mr. WHITE, Mr. GURNEY, and Mr. REED to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 411. An act for the relief of Mrs. Mae E. Sutton.

ADJOURNMENT OVER

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ELECTION OF SPEAKER PRO TEMPORE

Mr. SHEPPARD. Mr. Speaker, I offer a privileged resolution (H. Res. 212) and ask for its immediate consideration.

Resolved, That Hon. JERE COOPER, a Representative from the State of Tennessee, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of the Honorable JERE COOPER as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The oath of office as Speaker pro tempore was administered to Mr. COOPER by Mr. SHEPPARD.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a short article from the Reader's Digest and in the other an article by Arthur Sears Henning.

Mr. AUGUST H. ANDRESEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HORAN asked and was given permission to extend his remarks in the Appendix and include a column.

F. H. E. OIL CO. DECISION

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CARLSON. Mr. Speaker, I take this time to advise the House of the action taken by the Bureau of Internal Revenue in regard to a recent court decision on the regulation relating to intangible drilling and development costs for oil and gas wells. Personally, I want to commend Commissioner Joseph D. Nunan, Jr., and Deputy Commissioner Norman Cann for the fairness and promptness with which they dealt with this problem. Their decision to follow the regulations that have been in effect for the past 27 years rather than change them on the basis of a recent court decision will be most encouraging to the oil industry. Their decision in this matter is stimulating to industry as a whole and gives evidence of the fact that there are bureaus in Washington which understand the problems of business.

Commissioner Nunan wrote Hon. Wesley E. Disney, a former colleague, under date of March 29 in reply to his request for information regarding the procedure the Bureau proposed to follow as a result of the decision of the Fifth Circuit Court of Appeals dated March 6, 1945. In his letter to Mr. Disney, Mr. Nunan wrote as follows:

The Bureau proposes to continue to follow the provisions of section 29.23 (m)-16 of regulations 111, and corresponding provisions of prior regulations notwithstanding decision in case of F. H. E. Oil Co. In the event of a clarification of the law impelling such a change, in no event would such a

change be retroactive unless so directed by Congress.

You will note from this paragraph that in the event of a further clarification of the law which would impel a change on the part of the Bureau that the change would not be retroactive unless so directed by Congress.

It is my sincere hope that Congress will take definite steps to assure the industry that these regulations which have been in effect for 27 years may become a part of the law. Bills have been introduced to this effect and I hope definite and early action may be taken.

The Ways and Means Committee, during the hearings on the Revenue Act of 1942, went into this problem thoroughly and after hearing testimony from Randolph Paul, special tax adviser to the Secretary of the Treasury, and oil men, refused to make any changes in the existing law. Mr. Paul, in an appearance before the committee on April 16, 1942, stated:

It may be suggested that the expensing of development costs could be disallowed merely by changing the regulations. It might be claimed, however, that the interpretation given by the regulations has become imbedded in the statute, since it is of long standing and has been retained unchanged in the regulations concomitant with several reenactments of the basic legislation.

Randolph Paul in this statement admitted that the regulations of the Bureau of Internal Revenue on expensing the development costs for oil production have been in effect so long that they are in fact regarded as law.

MESSAGE OF FELICITATION TO GEN.
DWIGHT D. EISENHOWER

The SPEAKER pro tempore. The Chair announces that pursuant to the motion unanimously adopted on Saturday, March 24, 1945, the Speaker on Thursday, March 29, 1945, sent the following message to Gen. Dwight D. Eisenhower, Supreme Allied Commander, Supreme Headquarters, Allied Expeditionary Force:

The United States House of Representatives, unanimously adopted a motion requesting me through you, to express to Gens. Jacob L. Devers, Carl Spaatz, Omar N. Bradley, Courtney H. Hodges, George S. Patton, William H. Simpson, James H. Doolittle, Lewis H. Brereton, Alexander McC. Patch, Leonard T. Gerow, and the officers and men of all ranks under their command our congratulations and sincere thanks for the magnificent victories they have won on the western front.

SAM RAYBURN,
Speaker, United States
House of Representatives.

The SPEAKER pro tempore laid before the House the following communication which was read by the Clerk:

From S. H. A. E. F. forward.
To War Department, Washington, D. C.
(In the clear.)

Please pass the following to the Speaker of the House:

"DEAR MR. SPEAKER: I have immediately transmitted to the officers named in your message to me the commendations of the United States House of Representatives, and am publishing it to the whole command on behalf of all those who are not in position to answer personally. May I express to you the

very deep appreciation of the United States forces here for the inspiration of this commendation. All of us are devoting redoubled energy toward the goal of complete victory.
"DWIGHT D. EISENHOWER."

HON. JED JOHNSON

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, it gives me a great deal of pleasure to announce to the House that the dean of the Oklahoma delegation, Hon. JED JOHNSON, has been nominated for judge of the United States Customs Court. Mr. JOHNSON has served the State of Oklahoma long and faithfully and has been elected for 10 terms. He is now serving almost his twentieth year in the House of Representatives. He has reached a most important position in the House as chairman of the Subcommittee on Appropriations for the Department of the Interior. He has handled with distinction the affairs of the Oklahoma delegation as dean of that delegation for a great many years.

Mr. JOHNSON will take to his new office a wide understanding of public affairs and the law. He is a graduate of the University of Oklahoma School of Law and has also attended l'Université de Clermont, France.

His experience in public affairs covers more than 28 years, with his distinguished service for 2 terms as a member of the Senate of the State of Oklahoma and 10 terms as a Member of the House of Representatives. During his experience in the Congress he has dealt with a wide range of public questions, including membership on many of the most important committees of the House.

For several years he served on the Committees of Public Lands, Territories, and Flood Control. Following this service he had membership on the Committee on Military Affairs for 4 years, and for the past 10 years has served on the important Committee on Appropriations.

He has been chairman of the Subcommittee on Interior Appropriations for the past 4 years, where he has acquired an even wider knowledge of Government administration and legislation. During this time he also has served for 10 years on the steering committee of the House and for 2 years served as its chairman. In addition, he has served for 10 years as chairman of the speakers bureau of the Democratic National Congressional Committee.

His interest has not only been in Government, but he has been active in civic affairs and has served with distinction in many offices of the American Legion and of the Thirty-sixth Division Veterans' Association. I know the good wishes of the House go with him if he chooses to accept this new appointment which is being tendered him in the appointment before the Senate today. I can express the hope of the Oklahoma Members that he will stay on the job as long as he possibly can in the House and continue

to render as much service as possible to this body.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, as a member of the Subcommittee on Appropriations for the Department of the Interior, I wish to say I am not happy about the fact that our very able chairman, JED JOHNSON, may leave us.

However, for his own sake and because of my great admiration and respect for him as a courageous public servant, I sincerely feel that Jed deserves the best of all things good that the future has in store for him. I wish him godspeed in every undertaking all the rest of his life. I am sure that every Member of Congress feels as I do about our friend Jed, who has carried on here so ably and well in yielding to no man when an ideal or principle in which he believed wholeheartedly was at stake.

JED JOHNSON is well grounded in common sense and in addition being an able member of the bar he knows so well the laws of the land and how these laws should be administered to bring about the greatest good to the citizen of our Nation in order that we may preserve our American form of government.

My close association with Mr. JOHNSON has been of great value to me as well as an inspiration for which I am most grateful.

So I will just say thank you, Jed, and the best of luck to you and yours always.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I know if the gentleman from Massachusetts [Mr. McCORMACK] were here, he would have something to say relative to the selection of the gentleman from Oklahoma to be a member of the bench. In his absence, and following my own inclination, I want to pay my compliments to the gentleman for the splendid services he has rendered his State and his Nation during the long period of time he has been a Member of Congress. It has been my good fortune to work with him shoulder to shoulder in the past. I have always found him a most constructive gentleman to work with, a statesman, and a friend. I am sure when he goes to the bench he will there employ that same integrity and the same ability which he has exercised so well in the House. I extend to him my compliments.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I want to add my voice in congratulation of our colleague from Oklahoma who has been nominated for a judgeship and at the same time express my regret on losing him from this chamber. I speak not as a colleague on the Appropriations Committee sitting on the same side of the table with Chairman JED JOHNSON, but as one who frequently went before that committee suggesting this or that appropriation for the West, especially in regard to irrigation and reclamation. One of my pleasant recollections is of his unfailing courtesy. Well do I remember when a great reclamation project in southern Arizona was hanging in the balance. I attribute its salvation at that time to the statesmanlike attitude of JED JOHNSON with regard to the appropriation.

This is not the first time that the President has dipped into the membership of the Appropriations Committee and nominated a westerner for a Federal judgeship, much to my regret. Of course, we have so many able men in the West that I am always happy to see appointments made from among them, but not always too happy to lose a friend from the House or a keyman who is so well informed and favorably inclined toward the West. I do know that the President has for some years past had his eye on JED JOHNSON, with a view of such an appointment as this, and from the standpoint of our colleague's training and experience in the law I personally feel that the choice is a good one, and I want to say that my best wishes go with him and his family in these new duties.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

ESSAY CONTEST ON CONSTITUTION FOR UNITED NATIONS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, our citizens, regardless of party or creed or color, are intensely interested in seeing to it that when victory comes, which we hope will be soon in all theaters of war, there will be written a permanent peace. Two young people, Pauline Pyles and Tony Pataki, from my congressional district are in Washington today. First prize winner, Darla Lon Eddy, was unable because of an injury to make the trip. They have won awards for the writing of clear-cut essays on the subject of a constitution for the United Nations. They are here as the guests of a splendid citizen of my district. I call him a rank-and-file citizen, a coal operator, R. M. Davis, of Morgantown, who is a pioneer in working for a permanent peace of the world. I believe their visit to our National Capital, and the recognition we give to these students, is something which will be embraced by the American people

as symbolic of our earnest desire that peace must be nurtured in the hearts and minds of the youth of our land.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his own remarks in the Record and include therein an editorial on the St. Lawrence seaway.

A BILL TO HELP WAR FOOD PRODUCTION

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I have today introduced a bill that will increase the production of war foods. If passed it will prevent further persecution of producers who are making every effort to produce war foods. Please note the following:

First. The War Production Board allocated the materials to build expensive plants to make powdered whole milk.

Second. The War Food Administration asked the farmers to increase their milk production, to increase powdered whole milk.

Third. This powdered whole milk is used largely by the armed forces—over 90 percent of the product goes to war.

Fourth. In 1940 only 29,409,000 pounds were made, while in 1944 an estimated 172,000,000 pounds of this good food were produced. One-third of this production is in Wisconsin.

Fifth. This product before the war was not used to any extent for reconstituting to be used as fluid milk.

Sixth. The O. P. A. is suing the Wisconsin producers, largely co-ops, for charging too much for this war food. The O. P. A. contends a 24-cent per pound ceiling represents the price as per this date and that date. The producers have been selling the product for 26 cents per pound.

Seventh. The O. P. A. has not to this day put a dollar-and-cents ceiling on the product.

Eighth. It is surely a sad state of affairs when one Government agency can freeze one group with a cost-minus formula and other groups have so freely enjoyed the cost-plus formula.

Ninth. It is peculiar that milk for war cannot bring \$2.65 per hundredweight but milk for the domestic consumer can bring \$4 to \$4.80 per hundredweight without ill effects even with 50 to 85 percent greater subsidies.

Tenth. This situation is all the more ridiculous when one realizes that the same milk now being diverted to powdered whole milk—a war product—at less than \$2.65 per hundredweight could be purchased, transported hundreds of miles, and sold in bottles for 18 cents to 20 cents per quart or \$8 to \$10 per hundredweight for domestic consumption.

Eleventh. Some producers are not allowed to receive 5 to 6 cents per quart for war milk but other producers can receive from 8 to 10 cents per quart for

their milk used for domestic consumption.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Record in two instances and include newspaper clippings.

Mr. BIEMILLER asked and was given permission to extend his remarks in the Record and include three editorials from the Milwaukee Journal.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Record and include a colloquy he had recently with Bob Evans over radio station WFBL at Syracuse.

Mr. HILL (at the request of Mr. GILLIE) was given permission to extend his remarks in the Record and include a short article concerning beef, pork, and other food products.

Mr. HAYS asked and was given permission to extend his remarks in the Record and include a resolution.

Mr. EARTHMAN asked and was given permission to extend his remarks in the Record and include an editorial.

POLAND

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, the State Department deserves congratulations for its prompt action in turning down the request of the Government of the U. S. S. R. that the Lublin Government of Poland be seated at the San Francisco Conference. Had we agreed to this demand, all hope for any just settlement of the Polish question would have disappeared.

It is no secret that many groups and individuals in America have been fearful for the future of Poland as outlined in the Yalta agreement. Many of them have refrained from criticizing that pact for fear of upsetting the unity of the United Nations.

If there is to be any real hope for Poland, a truly democratic government must be established. And those Americans who have a record of consistent support for the war and now plead for such a government cannot be dismissed as obstructionists or divisionists. I hope the State Department will soon tell us the exact status of negotiations for a new Polish Government.

The Russian Government must learn that Americans believe in democracy. We have no intention of interfering in the internal affairs of the U. S. S. R., but we do take seriously the Atlantic Charter guarantees of freedom and democracy.

I think the Milwaukee Journal gave the Government of the U. S. S. R. some sound advice when it said editorially on March 31:

There are certain attitudes in Russia that are not helping the San Francisco Conference. Attacks by Pravda and War and Working Class on the motives of other nations are to be regretted. Russia, good as she has been in war, needs to grow up. The era demands that she play the role of an adult nation.

SUBSIDY ON MILK

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, it is my understanding that the War Food Administration has delayed cutting the subsidy on milk for every hundred pounds produced from 80 cents to 35 cents. This apparently reverses the policy indicated on February 14, which was to take effect April 1. This announcement of the higher figure will come with a great deal of satisfaction to a number of Representatives from the northeastern milkshed as well as to the up-State New York farmers, whose practical dependency on milk production rests upon the payment of a subsidy to make up the cost of production, which the Government has failed to recognize as necessary in order to meet the war food program. I for one hope that after the 1st of May this new policy will be continued in effect indefinitely, and that a dollar subsidy will be paid in place of the 70 cents which is now in effect.

Unsatisfactory as the practice of paying subsidies on milk is, it is still far better than nothing. To the dairy farmer it means the difference between his staying in or going out of business. A fair subsidy also means the difference between the farmer's meeting his cost of production or getting further into the red.

Of course, no one can expect agriculture to continue indefinitely to operate at a loss. That is why I raised my voice in protest against the subsidy slash. If the originally announced subsidy cut prevails after May 1, it will be senseless to continue the subsidy program.

Personally, I believe the only real solution is to raise the 70 cents subsidy now in effect, which the War Food Administration still insists will be reduced by half up to \$1. This will keep the dairy-men of the Northeast at their vital jobs for the duration. It will assure our civilian population, particularly in our great cities, of enough milk to build strong bodies for the tasks ahead.

I urge the War Food Administration once more to increase the milk subsidy program instead of allowing any more cuts.

AMERICAN CANCER SOCIETY

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAYS. Mr. Speaker, I am sure that every Member of the House appreciates the fine message that we recently received from Dr. Herman C. Pitts, chairman of the board of directors of the American Cancer Society expressing gratitude for the support of Congress in the cause of cancer control, referring specifically to the action of the Seventy-fifth Congress in designating April of

each year as cancer-control month and authorizing an annual proclamation by the President of the United States. On the eve of their appeal to the American people for increased support I should like to direct attention to the important service of this organization and to express the hope that their objectives may be reached. America has conquered other diseases and we have faith that by united efforts in the campaign against this terrible enemy, we may achieve ultimate success.

GEN. MARK CLARK AND THE FIFTH ARMY IN ITALY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article that appeared recently in certain newspapers by the gentlewoman from Connecticut [Hon. CLARE BOOTHE LUCE].

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, a few days ago the gentlewoman from Connecticut [Mrs. LUCE] wrote a very interesting and illuminating article in appreciation of Gen. Mark Clark and his work with the Fifth Army in Italy. I visited Italy in October and saw there the work of Gen. Mark Clark and his officers and men, the G. I.'s who are living down in the fox holes doing the fighting. I saw then the tremendous handicap under which these men are fighting; the weather, the snow, the ice, the mud, and the high mountains they have to surmount, and the disheartening lack of replacements. But whether lying wounded in hospitals or at the actual fighting front, I witnessed their courage and tremendously fine morale in spite of all their hardships and difficulties. They then were engaging 28 German divisions. Their work has had a lot to do with enabling the other armies to go forward to Berlin. General Clark's forces then were made up of soldiers of different nationalities which made his work much more difficult. He has accomplished much in making the Allies more united. He and his gallant army deserve our undying praise and thanksgiving.

TWO CITIES IN THE EIGHTEENTH CONGRESSIONAL DISTRICT OF CALIFORNIA FIRST OVER TOP ON RED CROSS FUNDS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, not only does the great Eighteenth District of California in Los Angeles County and in my native State, achieve in matters of untiring, united work and effort to win this global war as promptly as possible—it also achieves in matters of the heart and of the spirit, as exemplified by traits and habits of generosity, and the expres-

sion of sympathy for those in need and in trouble.

The newspapers of the metropolitan city of Long Beach, which is my home city, and is the largest city in the Eighteenth Congressional District, and likewise probably the fourth or fifth city in population in California, proudly announced that Long Beach was the first of the largest cities of California to attain and exceed its Red Cross quota for moneys to be raised.

I congratulate the citizens of this great California city on their renewed demonstration of appreciation for the finest things in life; by their unselfish achievement in giving even more of their material wealth than they were asked to give; and by giving it sooner than other communities did. It is giving in this spirit which proves real greatness. Certainly, no higher purpose commands the unselfish and untiring devotion of every purpose than does the purposes and dedication of the Red Cross. In every field where sympathy, sacrifice, aid and assistance to those dying and injured and sick, and who have suffered catastrophe, or where calamity in a major way exists on the battle fronts and on the domestic front—here you find the intelligent, helping hand of this great server of mankind—the Red Cross.

At Long Beach, and in the Eighteenth Congressional District, are the great shipyards, the great Roosevelt Naval Base, and the largest dry docks in the world, the great aircraft industries, and literally hundreds of smaller war industries and manufacturing plants of war necessities. And, in the Eighteenth Congressional District, are literally hundreds of thousands of consecrated war workers, both men and women, busily engaged in producing the necessities for victory in this hellish war. Yet, Mr. Speaker, the high wages, the full employment, the increased level of living, and the higher purchasing power—these material things have not dimmed the sense of sympathy, good will, and understanding of the people of the Eighteenth Congressional District of California for the American Red Cross.

I am sure the Members of this House will understand, that having lived in this city of Long Beach, Calif., for over 35 years, I feel a sense of rightful pride in this recent practical demonstration of community cooperation, coordination, and generosity, in supplying from their material wealth, the moneys so necessary to this great servant of mankind, the Red Cross.

Not only does the Eighteenth Congressional District contain the first largest city in southern California to go over the top in this regard, but this district also has within it, the first city in the great populace county of Los Angeles to go over the top—to wit, the town of Artesia. And, Mr. Speaker, while the community of Artesia is not one of the first 15 cities of California in population terms, it is one of the most important, prosperous, and forward-thinking communities of the State. It is located in the northeast portion of the Eighteenth Congressional District. Its people are frugal, sober, and intensely industrious; they are for-

ward looking and extremely hospitable and generous. Its newspapers also proudly announced that it was the first city or town in the populace of Los Angeles County to exceed its Red Cross quota. I likewise equally commend the citizens of Artesia, for their like demonstration of the fact that it is in giving, instead of getting, which proves real greatness. I sort of sense, that it is a cause of just pride with which I speak this day of the achievement of these two important communities of the Eighteenth Congressional District, which I have the honor to represent.

It is when a giver gives out of his heart that enduring prosperity really enters into the giver's experience—or into the experience of the community, which cooperates as a community to achieve its responsibility in terms of sharing its prosperity with those who are in need, dying, sick, hungry, or in want. We must not forget that the Red Cross is not only the great heart of us all in wartime, it is likewise our messenger of understanding and helpfulness in times of peace.

Also, Mr. Speaker, word has come to me that the other communities of this Eighteenth District are likewise way up near the top of the list of our cities in the Nation in their promptness and in the amount they are giving. Everyone cannot be the first-place winner in a race; and, in this Red Cross campaign for funds, every community cannot be No. 1 in either time or amount, but I am naturally proud, and with a sense of understanding, that the folks of the whole Eighteenth Congressional District have risen to this opportunity to share their material prosperity by giving so much and so promptly to the American Red Cross.

I challenge the thinking and action of every Member of this great legislative body to the proposition—that in every way every Member of this House shall enthusiastically and emphatically do everything possible to encourage the American people to do their full duty through the American Red Cross.

SALE OF SURPLUS PROPERTY

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter written by me to the Quartermaster General, and his reply.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Speaker, on March 6, 1945, I called to the attention of the House an advertisement appearing in a Birmingham, Ala., newspaper, signed by one Paul Locascio, 2221 First Avenue North, Birmingham, claiming that he had for sale "25,000 United States Army raincoats all in A-1 condition at \$1.25 each, 3,500 used United States Army steel lockers at \$1.50 each, and 10,000 pairs of used United States Army shoes—all have good uppers and double soles."

I stated at the time that my first quarrel was with the Army for disposing of such property as surplus. On March 9,

1945, I wrote the Quartermaster General of the United States Army as follows:

THE QUARTERMASTER GENERAL,
UNITED STATES ARMY,
War Department,
Washington, D. C.

DEAR SIR: I enclose herewith for your information advertisement from the Birmingham Age-Herald, January 4, 1945, concerning the disposal of property alleged to have been declared surplus by the United States Army. The advertisement is signed by Paul Locascio, 2221 First Avenue North, Birmingham, Ala.

I would thank you to look over this advertisement and let me have a report as to its accuracy. I would be particularly interested to know if this store had the goods described and, if so, how they came into possession of them, where they were obtained, and from what agency of the Government, and, if possible, the price paid for them.

Thanking you for your attention, I am,
Very respectfully,

J. P. RICHARDS,
Member of Congress.

Upon receipt of my letter, Maj. Gen. E. B. Gregory, the Quartermaster General, seemed very much concerned and immediately began an investigation. He sent a special agent to Birmingham to secure a direct report on the alleged sale. Upon receipt of this report, I received the following letter from Col. James V. Hunt, Quartermaster General, Assistant, for the Quartermaster General:

ARMY SERVICE FORCES,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, D. C., March 19, 1945.
HON. JAMES P. RICHARDS,
House of Representatives,
Washington, D. C.

MY DEAR MR. RICHARDS: There is enclosed, in accordance with your request, a résumé of the information which was given you at the conference in your office with Mr. John E. Lynch, special investigator for the Office of the Quartermaster General, and undersigned on March 16, 1945.

On or about January 4, 1945, one or more advertisements appeared in the press of Birmingham, Ala., inserted by one Paul Locascio, operating a retail store, offering for sale 25,000 used United States Army raincoats, 10,000 pairs used United States Army shoes, and 3,500 used United States Army steel lockers. The prices were \$1.25 for the raincoats, \$1.50 for the shoes, and \$1.50 for the lockers.

The "ad" described the raincoats: "All coats are in A-1 condition." Of the shoes, it said: "All shoes have good uppers and double soles"; and in describing the lockers: "A regular \$6.95 value for a low price. Used steel lockers, each with tray. Ideal for storage uses."

The "ad" further stated: "Mail orders filled. Add 25 cents for handling charges. Make checks payable to Paul Locascio, 2221 First Avenue North, Birmingham."

On Tuesday, March 6, 1945, under the heading of "Disposal of surplus property," your remarks and comments pertaining to this matter were printed in the Appendix of the CONGRESSIONAL RECORD, page A1020.

On March 8, 1945, there appeared in the Washington Daily News an article based on your remarks as published in the CONGRESSIONAL RECORD, under the headline "Army sells necessary supplies at 'ridiculous prices,' is charge." The same day an officer called on you in your office to discuss the matter with you and ask your cooperation in securing all the details. This cooperation you most willingly gave, and, at the same time,

expressed your deep concern over the disposal of all surplus property.

An expert investigator was sent at once to Birmingham from the Office of the Quartermaster General in Washington, where he was joined by an officer from the Service Command, under whose jurisdiction the salvage officers function and salvage sales are made.

Upon the return of the special investigator to Washington, and because of our mutual interest in the protection of our national economy and our taxpayers, the investigator was requested to make a full oral report to you and to answer fully and frankly any questions you might wish to ask. You expressed your appreciation of this thorough discussion of all details in the matter after this conference in your office on March 16, 1945, and stated that you were fully satisfied from the information given you by the investigator that the items were bought at salvage sales, that the Army had followed the regulations in inspecting and condemning these items as being of no further use to the Army, and that it appeared to you that the Army had acted with propriety and in accordance with regulations in its disposal of the items in question.

In reply to specific questions in your letter to the Quartermaster General, dated March 9, 1945, the following extracts from the report of the investigator are offered:

Shoes: Purchased at Camp Sibert, Ala., May 26, 1944; sealed bid, 25,000 pounds at 25 cents a pound. This is approximately 10,000 pairs at about 65 cents a pair. These shoes are all unserviceable for Army use.

Raincoats: Purchased by Paul Locascio, as follows:

Six thousand five hundred and fifty pounds at \$0.085 per pound, from Camp Sibert, Ala., April 12, 1944.

Four hundred pounds at \$0.05 per pound (rubberized), Fort Benning, Ga., November 14, 1944.

Two thousand pounds at \$0.05 per pound (oil-treated), Fort Benning, Ga., November 14, 1944.

Eleven thousand five hundred and thirty-one pounds at \$0.05 per pound (oil-treated), Drew Field, Fla., January 13, 1945.

Fifteen thousand five hundred and forty-eight pounds at \$0.05 per pound (rubberized), Drew Field, Fla., January 13, 1945.

Ninety-four thousand seven hundred and twenty pounds at \$0.06625 per pound (by Tillman & Levenson Co., for Locascio), Camp McCain, Miss., March 2, 1945.

A careful spot check was made, and all coats seen were unfit for Army use, being badly torn, parts missing, or stuck together. They could not be repaired for Army issue. A bale of the recently arrived coats from Camp McCain was sent to the Jersey City repair subdepot in New York City by express for thorough check and analysis. This report is not yet available.

Lockers, steel (foot lockers): Approximately 1,000 lockers were seen and inspected. All were unsuitable for further Army use, with or without repair. They were badly rusted, shelves missing, hinges broken, all locks were missing and most of them badly dented and sprung.

As stated to you by the investigator, new instructions on classification of shoes were sent to the field July 27, 1944. These instructions are very definite and have accomplished greater recovery of worn shoes than had formerly resulted. It is possible that some of the shoes bought by Locascio in the spring of 1944 could have been retained for some further use under the regulations published in July. No shoes have been sold to him subsequent to the publication of the July instructions.

For your information, the five various categories of classification now in effect on worn shoes are as follows:

1. Suitable for Army rebuilding: These shoes must possess good uppers that do not have deep cuts, scuffs, or burns in them, or

holes in the sides or counterpocket. Shoes in this category are stripped down and these good uppers are then used as the basis for reconstructing a new pair of shoes. These rebuilt shoes are issued in a first priority to troops being inducted into the Army and they have been very well received by the soldier inasmuch as the uppers have already been broken in.

2. Class O: Where uppers, soles, and heels are in a fair condition or can be put in good wearing condition with very minor repair. These shoes normally are shoes which are too good for rebuilding inasmuch as material wear is still left in the shoes. They are issued primarily to prisoners of war in compliance with the rules of the Geneva Convention. For your information, the Surgeon General of the Army prohibits the reissue of a worn pair of shoes to another soldier unless the shoes have been rebuilt.

3. For foreign relief: This category of worn footwear is composed of shoes that fall into a lower specification bracket than those required for Army rebuilding as described in paragraph 1. These shoes may have deep cuts or sweat cracks in the uppers, and by stitching such imperfections, they would still not qualify as an Army specification rebuilt shoe. The Treasury Department at Buford, Ga., has a contract facility whereby they are rebuilding these reject shoes from the Army rebuilding program and turning out a standard rebuilt shoe that is utilized by U. N. R. A. in liberated areas.

4. "As is" shoes: These are shoes that do not meet any of the specifications called for in the three categories above, but still have in them a certain amount of wear as an item of footwear when considered as such for people that are destitute for any form of footwear. In this connection, since September 1944, the Quartermaster General, through his direct action, has disposed of over one-half million pairs of such shoes as cash sales to European governments for issue by the Red Cross in those areas.

5. Nonrepairable or salvage: These are shoes that are not suitable for any of the four categories listed above. For your information, in the past 4 months, less than one-tenth of 1 percent of all unserviceable shoes that have been turned in have gone into this category. A representative of the Quartermaster General, under existing regulations, must certify that these shoes are salvage shoes before any disposal action can be taken by the various posts, camps, and stations throughout the country.

The Quartermaster General sincerely appreciates your interest in this matter and in all cases where it may appear that our taxpayers may be carrying an undue burden. For 5 years, while carrying the great responsibility of his assignment, he has constantly and unremittably carried on a vigorous war on waste of every kind. He has been most insistent that every penny be saved and every ounce of material be most advantageously used. His reclamation program is well known throughout the Army and the Congress. The dollar savings to our citizens have been tremendous and the contributions in critical materials to our heavily burdened civilian economy have been of immeasurable value. Millions of pairs of shoes have been rebuilt or repaired and almost every soldier you see in this country is wearing rebuilt shoes. The number of items of clothing repaired and reissued, the quantity of tentage of all kinds, and hundreds of other items of equipment that are now on "second or third runs" has resulted in savings of millions of dollars. Constant efforts are being made toward improvement. Any suggestions toward further reclamation are welcomed and every effort will be made to utilize all ideas that will effect further savings.

If further information or clarification is desired, please advise, and it will be a privilege to furnish it to you.

For the Quartermaster General:
Cordially,

JAMES V. HUNT,
Lieutenant Colonel,
Quartermaster Corps, Assistant.

Mr. Speaker, I might add that Colonel Hunt, the capable and genial congressional liaison officer of the Quartermaster Corps, personally came to my office bringing with him Mr. John E. Lynch, civilian investigator of the War Department, along with samples of the articles advertised for sale in Birmingham. Colonel Hunt and the investigator were at all times frank, candid, and honest and showed no disposition to conceal anything.

In justice to the Quartermaster General and the War Department I must say that I am fully satisfied from the report that the Army was not derelict in its duties in this instance. I am convinced that the stuff sold was junk and the Army was fortunate to get what the junk was sold for.

However, I am still very much concerned over the general confusion pertaining to the sale of war surplus property. The Army sells some of it, the Procurement Division of the Treasury Department some of it, and the War Surplus Property Administration is up in the air as to what its duties are and responsibility is. This board is fortunate in having an outstanding chairman, former Senator Gillette, and two other excellent men, Mr. Heller and Mr. Hurley, as members. But from the information I have been able to obtain they have been able to get nowhere on account of cross currents and lack of cooperation.

As to the sale of the particular Army surplus property in question here steps should be taken by the Department of Justice against the said Paul Locascio and others like him who have acquired useless and worn-out Army surplus property and falsely advertised same to the public as A-1 stuff. Newspaper advertisements of this kind create false impressions in the minds of American people and cause them to doubt the honesty and efficiency of our system of handling and disposing of surplus property.

EXTENSION OF REMARKS

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an item from the Arizona Farmer and a form letter written to his constituents.

JOINT COMMITTEE ON THE REORGANIZATION OF CONGRESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I take this time to call the attention of the House to the fact that the Joint Senate and House Committee on the Reorgani-

zation of Congress, of which I am a member, is holding hearings this week. It may be more convenient for some Members to be heard before that committee during the recess.

The committee meets at 10 o'clock in the morning, in the Senate District Committee room in the Capitol.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 411. An act for the relief of Mrs. Mae E. Sutton.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on Thursday, March 29, 1945, present to the President for his approval a bill and a joint resolution of the House of the following titles:

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921; and

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

ADJOURNMENT

Mr. SHEPPARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Thursday, April 5, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

365. A letter from the chairman of the Joint Committee on the Organization of Congress, transmitting the first progress report of the Joint Committee on the Organization of Congress, Congress of the United States, pursuant to House Concurrent Resolution 18 (S. Doc. No. 36); to the Committee on Rules.

366. A letter from the Chairman and General Manager, Smaller War Plants Corporation, transmitting a copy of the personnel requirements of the Smaller War Plants Corporation for the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

367. A letter from the Director of Office of War Mobilization and Reconversion, transmitting a copy of the second quarterly report in accordance with the War Mobilization

and Reconversion Act setting up his office (H. Doc. No. 137); to the Committee on Ways and Means and ordered to be printed with illustrations.

368. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia; to the Committee on the District of Columbia.

369. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Wash., on May 10, 1944; to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McDONOUGH:

H. R. 2827. A bill to authorize the release of persons from active military service and the deferment of persons from military service, in order to aid in making possible the education and training and utilization of scientific and technological manpower to meet essential needs both in war and in peace; to the Committee on Military Affairs.

By Mr. BRADLEY of Michigan:

H. R. 2828. A bill to amend the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. HAYS:

H. R. 2829. A bill to authorize the Secretary of Agriculture to transfer certain land in Jefferson and Arkansas Counties, Ark., to the Arkansas Agricultural Mechanical and Normal College, Arkansas; to the Committee on Agriculture.

By Mr. LEMKE:

H. R. 2830. A bill providing for Congress to coin and issue money and regulate the value thereof by establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; setting forth the scope and manner of the bank's operations; creating a Board of Control and defining the powers and duties of the Board and other persons charged with the bank's management, and for other purposes; to the Committee on Banking and Currency.

By Mr. MURRAY of Wisconsin:

H. R. 2831. A bill to increase war food production; to the Committee on Banking and Currency.

By Mr. PATRICK:

H. R. 2832. A bill making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes; to the Committee on Appropriations.

By Mr. RANDOLPH:

H. R. 2833. A bill relating to the use of prisoners of war for the performance of skilled labor; to the Committee on Military Affairs.

H. R. 2834. A bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. BIEMILLER:

H. J. Res. 147. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. KING:

H. Con. Res. 39. Concurrent resolution to declare a governmental policy in relation to the apprehension and punishment of war criminals; to the Committee on Foreign Affairs.

By Mr. JENSEN:

H. Res. 213. Resolution providing examiners and other personnel necessary for the acquisition of adequate information for the use of the Subcommittees on Appropriations; to the Committee on Rules.

H. Res. 214. Resolution providing for payment of expenses incurred in carrying out the provisions of House Resolution 213; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to empower the Secretary of Agriculture to requisition certain material, equipment, and supplies not needed for the prosecution of the war and for the national defense and to use such material, equipment, and supplies in soil and water conservation work; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to enact House bill 2274 providing for rearing ponds and a fish hatchery at a suitable location in the Upper Peninsula of Michigan; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to enact legislation providing for the construction of a system of three canals that will enable vessels of medium draft to proceed from the Columbia River to Willapa Bay on the Washington coast; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HANCOCK:

H. R. 2835. A bill for the relief of James Lynch; to the Committee on Claims.

H. R. 2836. A bill for the relief of Angelo Gianquitti and George Gianquitti; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 2837. A bill for the relief of George Stiles; to the Committee on Claims.

By Mr. HOOK:

H. R. 2838. A bill for the relief of George A. Curry; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

318. By Mrs. SMITH of Maine: Petition signed by Ruth P. Collind and other citizens of Waldoboro, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

319. Also, petition signed by Sarah E. Richardson and other citizens of Clinton, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

320. Also, petition signed by Mrs. Arthur Tatlock and other citizens of Gardiner, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

321. By the SPEAKER: Petition of New York State Federation of Post Office Clerks,

petitioning consideration of their resolution with reference to favorable enactment of House bill 2071; to the Committee on the Post Office and Post Roads.

322. Also, petition of Puerto Rican Civic Association of San Juan, P. R., petitioning consideration of their resolution with reference to the removal for incompetence of Dr. Jose M. Gallardo, commissioner of education, for the better functioning of the school system; to the Committee on Insular Affairs.

SENATE

TUESDAY, APRIL 3, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, again through sleep and darkness safely brought, restored to life and power and thought, we face a new day. Wilt Thou lift our duty above drudgery. Even in the heat and burden of noonday's task, let not our strength fail nor our vision fade. Make us patient and considerate one with another in the fret and jar of human contacts, remembering that even in the glare of public gaze each fights a hard battle and walks a lonely way. Give us, O Lord, a reverence for truth, a deep desire to think and speak truly, and a passion to hasten the day when the rule of justice and love shall engirdle the earth. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 2, 1945, was dispensed with, and the Journal was approved.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 2, 1945, he presented to the President of the United States the enrolled bill (S. 411) for the relief of Mrs. Mae E. Sutton.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

DECEMBER 1944 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a confidential report of the Corporation for the month of December 1944 (with an accompanying report); to the Committee on Banking and Currency.

CONTRACTS ENTERED INTO BY UNITED STATES MARITIME COMMISSION

A letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report of contracts entered into or modified under authority of Public Law 46 cumulative for the period beginning January 1, 1945, and ending March 31, 1945 (with an accompanying report); to the Committee on Commerce.